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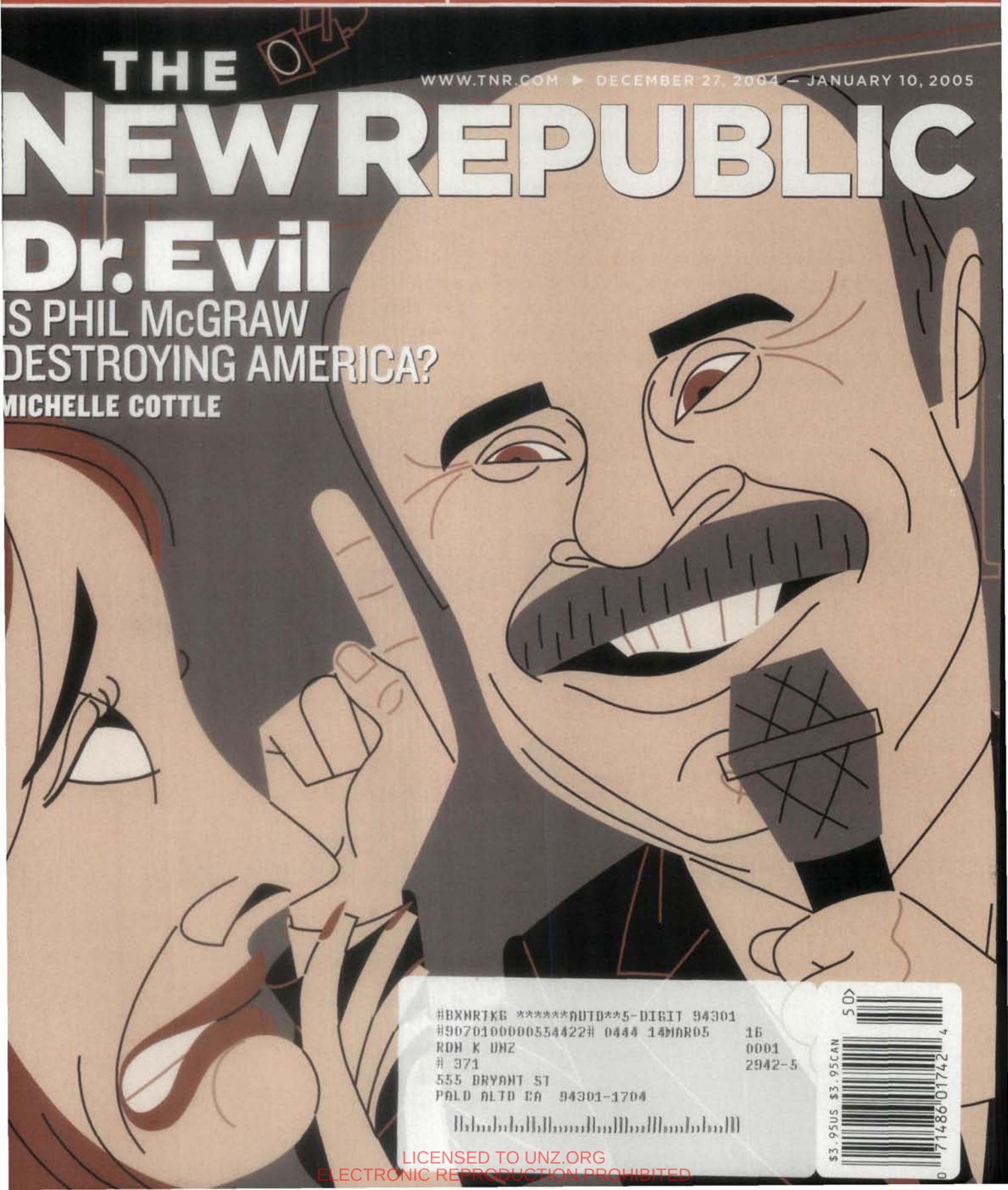

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Fossil fuels meet more than 80 percent of the world's energy needs, and we expect this trend to continue through 2030. In the very long term, a more-diversified energy mix is likely with increasing opportunities for nuclear and bio-fuel energies. However, for the foreseeable future, fossil fuels are the only energy forms with the scale and versatility to meet the world's growing needs.

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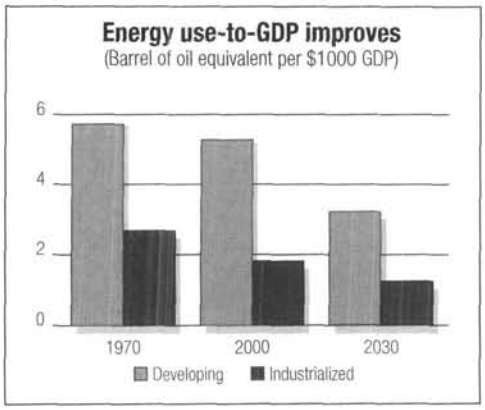

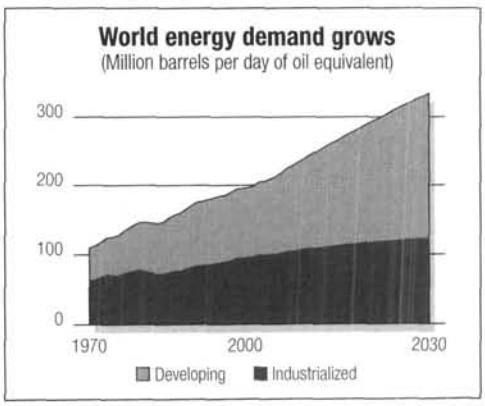

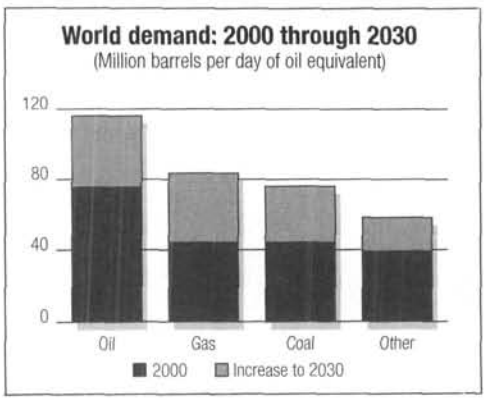

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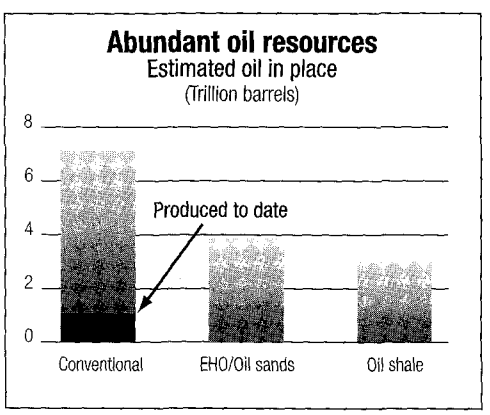
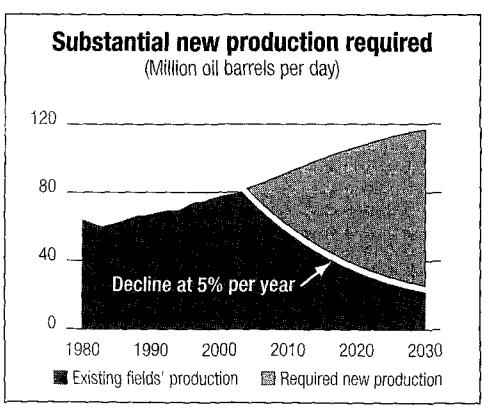
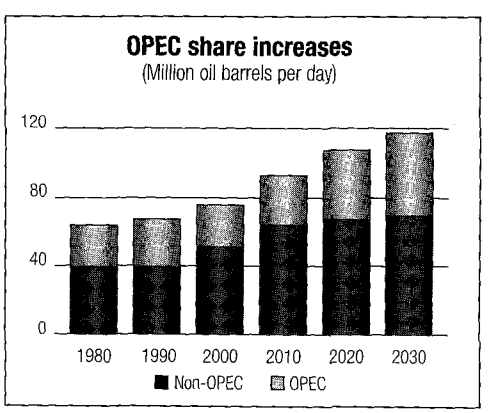
The cooperation of governments to expand access to resources, promote economic and responsible resource development, and nurture international trade relationships is vital. These will be critical to attracting the huge investments needed to provide reliable and affordable energy supplies.







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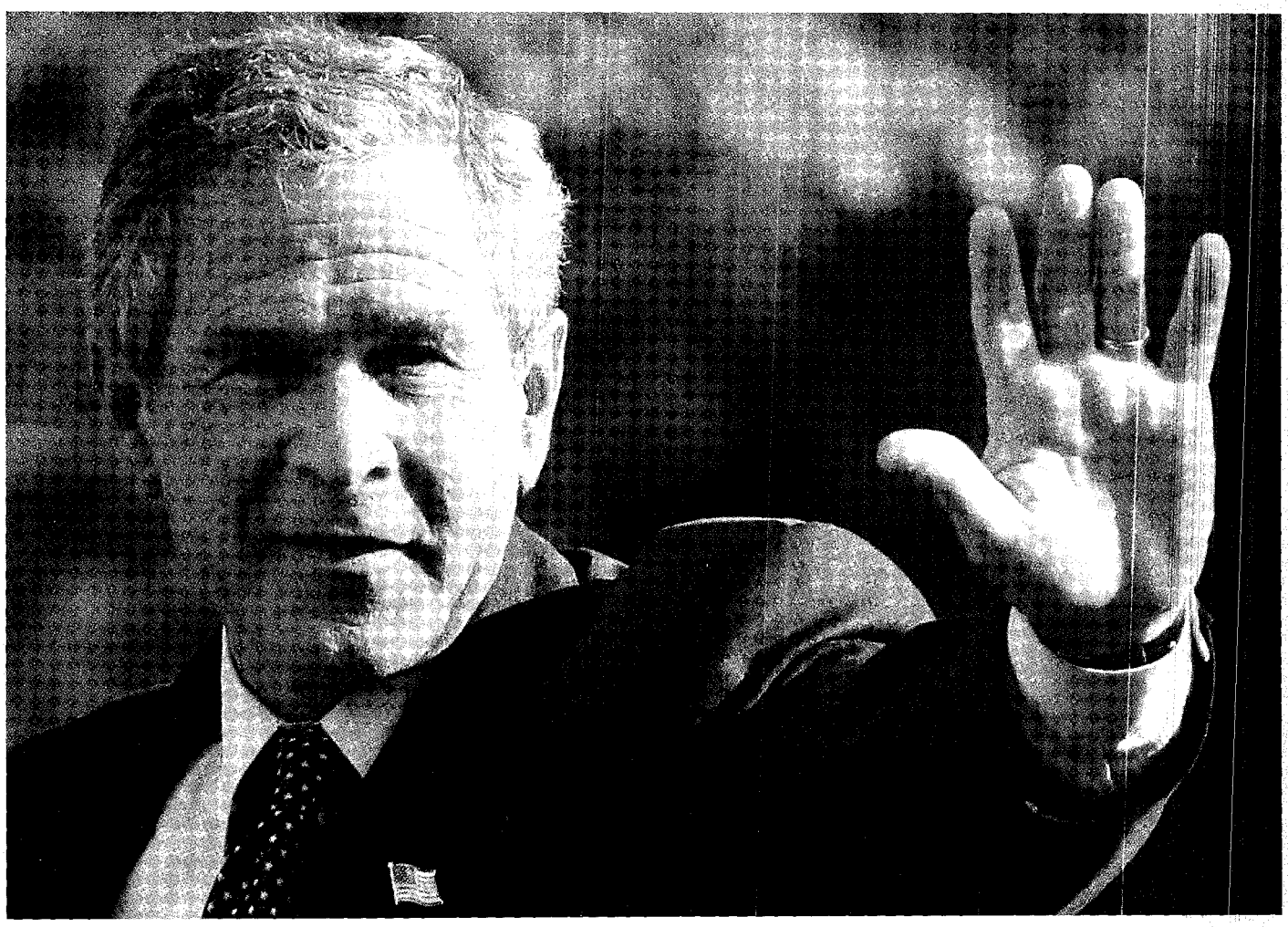

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DECEMBER 27, 2004 – JANUARY 10, 2005 WASHINGTON, D.C. ISSUES 4,693-4,695 VOLUME 231

Cover Story

Michelle Cottle **19** **Daddy Knows** On daytime television, no one is hotter than Dr. Phil, a stern father figure offering wise advice in an uncertain world. Too bad listening to Dr. Phil's "advice" just means submitting to his authority.

FORUM: A NEW LIBERALISM?

Responses to the December 13 cover story, "A Fighting Faith."

Donnie Fowler **14** **Old Fashion** Taking back patriotism.

Martin Frost **14** **Safety First** Our real national security record.

Simon Rosenberg **15** **Time Warp** The lessons of George Kennan.

Wellington E. Webb **16** **Steady Hand** We don't all need to agree.

Wes Boyd and Joan Blades **16** **Us and Them** The founders of MoveOn respond to TNR's criticism. Peter Beinart replies.

Politics & the World

6 **CORRESPONDENCE** What it means to be human, and other minor matters.

Peter Beinart **8** **TRB | Lesson Plan** What liberals should not learn from Iraq.

The Editors **11** **Ought and Is** The message from Rabat, Morocco.

12 **NOTEBOOK** George Tenet and the three freedoms, &c.

Masha Gessen **18** **Moscow Dispatch: Psyched Out** Russia's economic fundamentals are strong. So why are Russians so afraid of an economic collapse?

Clay Risen **42** **WASHINGTON DIARIST | Endangered Species**

Books & the Arts

Stanley Kauffmann **28** **FILMS | Conquests** Lovers collide with romantic conventions in *Closer*; *Alexander* is hard on one's behind.

Anne Applebaum **29** **How Evil Works** *The Dictators: Hitler's Germany, Stalin's Russia* by Richard Overy

Cass R. Sunstein **32** **The Rehnquist Revolution** *A Court Divided: The Rehnquist Court and the Future of Constitutional Law* by Mark Tushnet

Robert Alter **37** **Past Imperfect** *A Tale of Love and Darkness: A Memoir* by Amos Oz, translated by Nicholas de Lange

Rosanna Warren **40** **POEM** | *Runes II*

COVER ILLUSTRATION BY *Zach Trenholm*

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CORRESPONDENCE

EMBRYO IMBROGLIO

IN HIS EXCELLENT DISCUSSION OF HOW the stem-cell debate might change the abortion debate, Michael Kinsley does not distinguish the biologically human from the socially human ("Life Altering," November 1). "[I]f the fetus is a human being, its life is at stake. Obviously, if you accept that, the fetus wins," he says. So, three questions: Is this microscopic dot a being? Yes, of course it is—and a genetically unique being at that. Is it human? Yes—it is genetically and biologically human. But is it a human being as we normally use the term? And what does that mean?

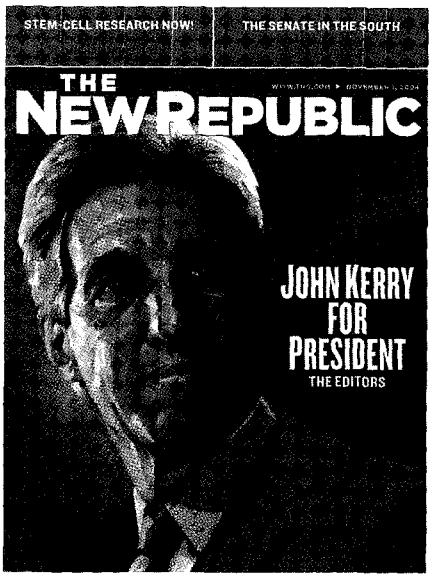
Our first son was born with Down Syndrome. Had he not survived the many surgeries he endured in his first years, our grief would have been deep. Then, some months later, after using the bathroom, my wife noticed a tiny bit of tissue in the toilet bowl, a piece about half a centimeter in diameter. It was a miscarriage. But neither my wife nor I experienced even the faintest flicker of grief. While our firstborn was immediately a socially human being, the tissue never achieved that status for us.

You cannot determine what makes a being a "person" the way you can determine what makes a being "biologically human." For some, it is based on the belief in the creation of a soul at conception. This is a belief that should have no standing in the political discussion.

HAL TRITZ
Fond du Lac, Wisconsin

WHY ASSUME THAT ALL ANTI-abortion activists are acting selflessly in their pursuits? The movement is also fueled by religious notions of creation and gender. The idea that man—or, even more threatening, woman—could represent the final authority on procreation is abhorrent to the religious right, a long-lived reality in the patriarchal social framework of this country. That individual women may be advocates of the right to life is irrelevant to the argument that this movement is founded in deeply rooted concepts of family life, marriage, and the place of a woman in human culture.

Secondly, the decision to abort is based on something more than "life."



There are realities of parenting and pregnancy at stake. The burden of raising the child born from the many versions of an unwanted pregnancy (youth, poverty, ignorance, abuse, rape, incest, fetal mutations, et cetera) always falls primarily on the woman who carries this fetus—even if that burden is to find another home for the child. The outlook that life is an end in itself and that each human being offers up potential we can never assess in advance is a wonderful and necessary balance to the reality of unwanted pregnancies. We should not abandon that principle, but the individual with the most at stake is ultimately the only one who can balance the two.

KAREN ESLER
Portland, Oregon

KINSLEY MISCHARACTERIZES THE pro-life position as a belief that life begins at conception and that no abortions should ever be allowed. This is simply wrong. I am pro-life, yet I believe (like Thomas Aquinas) that human life begins sometime after conception. For me, human life begins when activity starts in the human brain, roughly six weeks after the baby's conception. (Why else would many pro-life people support abortion in the cases of rape, assuming they are early in the term?) In any event, the only statement that characterizes the philosophy of everyone who is pro-life is this: Parents should not be allowed to kill unborn babies.

Kinsley writes of the embryo, "You need a microscope to see it. And what you see is a few dozen cells. . . . Once you decide that a five-day-old embryo maybe isn't as human as you or me, the tempting logical clarity of the absolutist right-to-life position disappears." No, sir. One can be an absolutist—believing that it is immoral to kill human infants in the womb—and yet still deny that such an early abortion would constitute the killing of a human being.

Kinsley writes of the "possibility that human life emerges gradually, like so much in nature, and doesn't turn on instantly like an electric light." With such theoretical ideas, he distances himself from the messy practice of abortion, which is often bloody and produces tiny corpses. We're not talking about the gradual emergence of human life, but whether stopping the process is a death. In short, the abortion debate should be about when human beings die. I trust that even Kinsley would see the need to pick an absolute point in which one can confidently declare that a person has died.

It's a simple proposition: If human death can occur, then human life has begun. It's an issue he ignores by using the intellectually lazy mantra of "slippery slope." Kinsley is not ignorant of the legal environment that, until recently, allowed partial-birth abortion, in the ninth month of the pregnancy, to kill babies who are mentally retarded. A little more focus on the worst-case scenario, instead of the abortions of five-day-old zygotes, might turn Kinsley into a pro-life man himself.

TAYLOR CARMICHAEL
Savannah, Georgia

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Lesson Plan

TRB
FROM WASHINGTON

LAST WEEK, I RESPONDED TO one major critique of my December 13 essay, "A Fighting Faith": that Islamist totalitarianism is not as grave a threat as Soviet totalitarianism and therefore opposition to it need not define what liberals believe. But there is a second critique, which focuses less on my argument than on my credibility—and the credibility of other liberals who supported the Iraq war. What authority do we have to propose a national security direction for our fellow liberals when we urged them to follow the Bush administration into Iraq?

It's a fair question. Looking back at the prewar debate, liberal hawks (or at least this liberal hawk) were guided by two assumptions that turned out to be wrong. The first was that Saddam Hussein was seeking a nuclear weapon. Few liberal hawks claimed Saddam was an immediate threat. But we knew he had been pursuing a nuclear capacity since 1971, that he had been only a year away from this on the eve of the Gulf war, and that several defectors claimed he was continuing such work in the 1990s. In 2001, German intelligence estimated that he was three to six years away from a nuclear bomb.

Added to that was the realization that containment was collapsing. There had been no inspections between 1998 and 2002, and France and Russia were actively undermining sanctions, making it harder and harder to deny Saddam the money and weapons he had long pursued. The longer the United States waited, the more dangerous it seemed Saddam would become.

All this blinded liberal hawks to the signs, in early 2003, that the widespread conventional wisdom might be wrong—that Saddam did not have a nuclear program after all. The weakness of the Bush administration's evidence—the phony documents on uranium from Niger, the dubious aluminum-tubes allegations—should have given liberal hawks like me more pause. We had been conditioned by a certain experience with Saddam, and that conditioning made us too quick to believe the claims against him.

The second liberal hawk assumption was that the Bush administration would take postwar nation-building seriously. The Bushies obviously disliked nation-building, but I assumed they would devote themselves to it for one simple reason: It was in their political self-interest. For the president, winning the peace in Iraq seemed essential to winning reelection, and that, I figured, would be incentive enough.

The problem with this second assumption was that it underestimated Defense Secretary Donald Rumsfeld's mania to use Iraq as a showcase for his vision of a leaner, meaner military. Rumsfeld insisted on a much smaller U.S. force than the Army had proposed—a force capable of overthrowing Saddam, but incapable of providing security once he was gone. The meager U.S. invasion force being assembled in the Kuwaiti desert should have set off alarm bells among pro-war liberals, given the lessons from the '90s about how many troops were needed to prevent postwar chaos. Once again, we didn't revise our assumptions to deal with critical, late-breaking information.

But, while pro-war liberals need to learn from the mess in Iraq, antiwar liberals may be learning too much from it—and repeating the overreaction to Vietnam. Even if the Iraq war ends in tears, two principles that undergirded it must be preserved if liberals are ever to lead the ideological struggle that will continue long after American troops leave Falluja.

The first is a belief in nation-building. In the wake of Iraq, there has been a lot of loose liberal talk about the impossibility of imposing democracy by force. So much so that, when *The New York Times* asked delegates to the Democratic National Convention whether "the United States [should] try to change a dictatorship to a democracy where it can," the majority said no.

But it wasn't inevitable that toppling Saddam would create widespread Iraqi anti-Americanism and a raging Sunni insurgency. Polls suggested that, in the immediate aftermath of Saddam's overthrow, Iraqis were far more grateful for the war—and far less hostile to the U.S. occupation—than they later became. The rapid souring was caused, above all, by Rumsfeld's refusal to provide enough troops to ensure security—a failure illustrated most dramatically in the spasm of looting that followed the U.S. victory. As the Rand Corporation's James T. Quinlivan has noted, at the beginning of the fairly successful Bosnia and Kosovo nation-building efforts, NATO boasted more than 22 troops for every 1,000 local civilians. In Iraq, when Saddam fell, there were six.

The U.S. inability to restore order was exacerbated by L. Paul Bremer's move to disband the Iraqi military, which also contradicted the advice of experts inside and outside the government. Disbanding the military stripped hundreds of thousands of Sunnis of their jobs and their pride, making them easy prey for the insurgency. That further undermined security and retarded reconstruction, thus preventing the tangible gains that might have preserved Iraqi goodwill toward the U.S. occupation.

If Iraq doesn't prove that nation-building is futile, neither does it invalidate the connection between dictatorship and totalitarian Islam. In an operational sense, it's clearly true that Saddam had little to do with Al Qaeda (no matter what the Bush administration claims). But ideologically, secular dictatorship promotes jihadist extremism—both because secular dictators fuel the popular rage that leads people to turn to Islamist opposition movements and because secular dictators seek legitimacy by ceding control over civil society to Islamists. That was true of Saddam, and it is true of many of his counterparts throughout the Middle East. Which is why ending tyranny in the Muslim world must be central to U.S. antiterrorist efforts.

The danger is that, in the wake of Iraq, liberals will turn inward, as many did after Vietnam. They will abandon the belief that U.S. power can positively change the Muslim world and instead argue that the United States should merely aggravate it less while killing terrorists where we can. In a bitter irony, that will leave nation-building and democracy-promotion in the hands of conservatives like Rumsfeld, who never really believed in it. It will leave liberals on the sidelines of the great ideological struggle in which the United States is engaged. And, with liberals on the sidelines, the United States can't win. **PETER BEINART**

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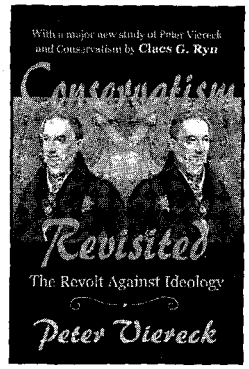
Peter Viereck

Pulitzer-prize Winning Poet, Critic, and Historian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Conservatism
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Peter Viereck

Conservatism Revisited

The Revolt Against Ideology

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Viereck is one of the principle theoreticians of conservatism in modern American political thought. In this classic work, Viereck undertakes a penetrating and unorthodox analysis of that quintessential conservative, Prince Metternich, and offers evidence that cultural and political conservatism may perhaps be best adapted to sustain a free and reasonable society. According to Viereck's definition, conservatism is not the enemy of economic reform or social progress, nor is it the oppressive instrument of the privileged few. Although conservatism has been attacked from the left and often discredited by exploitation from the right, it remains the historic name for a point of view vital to contemporary society and culture.

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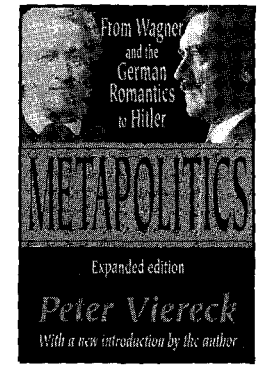
From Wagner and the German Romantics to Hitler

With a new introduction by the author

Expanded Edition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Metapolitics was the very first book to document Hitler as an aesthete and artiste manqué (resentful failed artist) and as a Wagner disciple. Later books attempting this have failed to provide the needed context of 19th-century German romanticism, found only here. That is why Thomas Mann deemed *Metapolitics* the single best book on Hitler and Nazi psychology. This new edition adds not only Mann's long essay on Viereck but Jacque Barzun's debate with him about romanticism. Viereck's essays on the case of Albert Speer, Claus von Stauffenberg (the German officer who led the army conspiracy to assassinate Hitler), and poets Stefan George and Georg Heym appear for the first time in book form.

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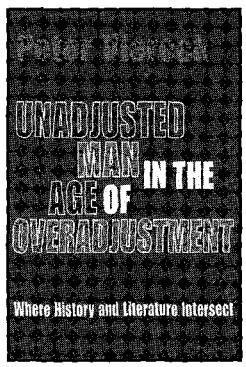

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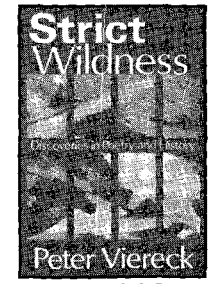

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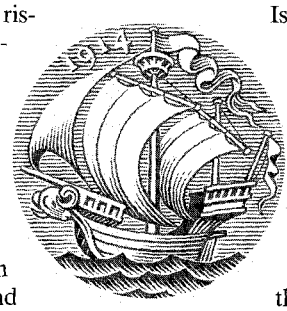
Ought and Is

THE BUSH ADMINISTRATION is unquestionably a champion of democracy in word, if not always in deed. At every turn, the president speaks of the need to "spread freedom" and of "the transformational power of liberty." To many Bush hawks, this rhetorical promotion of American values is merely a mask for the actual promotion of American interests. But, if the idea of democratization is marred by the administration's cynics (and, of course, its incompetents), it is marred as well by the assumptions and actions of its innocents. Some of our policymakers are not only dazzled by the light of freedom, they are also blinded by it. Democracy, in their view, will come because it must come. It is a matter of (a strange concept for lovers of freedom to hold) historical necessity. After all, who does not want democracy? The Bush administration's blitheness about the impediments to the democratization of Iraq is an example of this confusion of theology with strategy, of ought with is. But the exaggerations of American optimism extend beyond the borders of Iraq, to the rest of the region.

Who does not want democracy? The leaders of the Arab world, that's who. And they made this ringingly clear last week in Rabat, Morocco, at the meeting of the Forum for the Future convened by the United States to discuss political reform in the Arab world. The representatives of 20 Arab states assembled to heap scorn upon the possibility of democratization in their societies. (The only concrete result of the meeting was an agreement by Turkey, Yemen, and Italy, as the *Los Angeles Times* reported, "to collaborate on a small program to promote greater participation by individuals and groups in shaping public policy.") The reason is obvious. The democratization of their societies cannot be accomplished without their own disappearance. For these autarchs, democratization means self-immolation. And so they politely declined to do what the United States so loftily proposed.

But they could not say so, not in so many words. Unfortunately for them, the most idealistic state on earth happens also to be the most powerful state on earth, and the Arab leaders could not simply tell the United States to, well, you know. So they chose to embarrass the Bush administration indirectly, by invoking priorities that in their view are even more pressing for the development of Arab society than political liberty. Some of them insisted that economic progress must precede political progress, which is risible in light of the economic history of the Arab world in the modern era, and is also an argument with very disagreeable associations, having been the preferred rationale for power of some of the twentieth century's worst tyrants. And then the Arab leaders invoked their most cherished alibi for preserving their own people in various conditions of backwardness (an alibi repeated by many in Europe and the United States): Israel. Prince Saud Al Faisal, the Saudi foreign minister, explained that, in the matter of democratization in the Arab world, "We perceive no clash of civilizations or of competing values. ... The real bone of contention is the longest conflict in modern history. For too long, the Arabs have witnessed the Western bias towards Israel."



The prince's first claim is a lie: The values that determine the social and political organization of his country are wildly different from the values of democratic (and democratizing) countries. And the prince's second statement is a Big Lie. It is designed to deceive the Arab peoples into a false understanding of their own unhappiness. Political and economic oligarchy in the Arab world are much older than Israel. And they have persisted into the period of Israel's existence only because the authoritarians who rule the Arab world will not willingly relinquish their profits or their power. The Israeli-Palestinian conflict explains nothing about the failure of the Arab world to keep pace with the transformations of modernity. The truth is in fact the opposite. It is the Arab states' recoil from modernity (except of course for their elites, who are delighted to partake hypocritically of its material blandishments) that explains, at least partially, the Israeli-Palestinian conflict. Since 1947, and certainly after 1967, the Arab regimes have found in the Israeli-Palestinian conflict a fine demagogic diversion from their obligations to their own peoples, and so they have done little or nothing to aid in its resolution. They need this conflict, as they showed again at the Forum for the Future, which they indecently turned into the Forum for the Past.

So this is where we are now in the Middle East: The most idealistic state on earth has resolved to change the least idealistic states on earth. How, precisely, may democracy be spread? Whatever else the crisis in the region will teach us, it promises a rude lesson in the distinction between ideals and illusions. ■

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NOTEBOOK

A Medal for George Tenet . . . Bernard Kerik, Headed to the Senate?

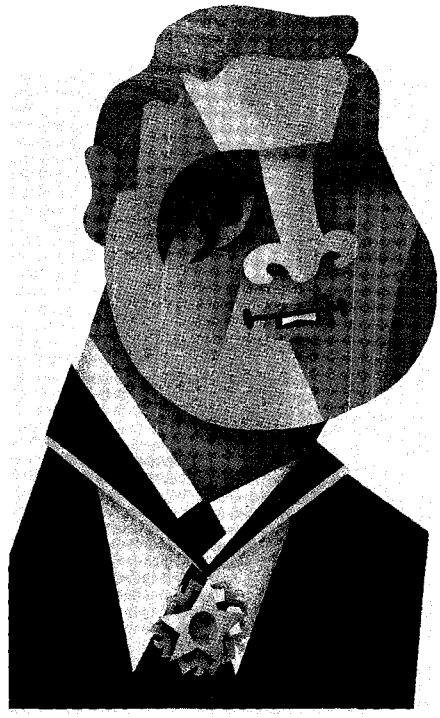
LET FREEDOM RING

If you were one of those shameless skeptics who felt that George Tenet never really got what was coming to him, you can rest easy. On Tuesday, President Bush awarded the former CIA director, along with General Tommy Franks and L. Paul Bremer, the Presidential Medal of Freedom. This distinction, of course, finally elevates Tenet to the ranks of such past winners as Robert McNamara and Donald Rumsfeld, each a great liberator in his own right.

Lest we forget what life was like in that dark and oppressive era Before Tenet, we at The New Republic thought it worthwhile to mention a few of the freedoms introduced during his tenure at Langley. One of Tenet's first contributions was to release U.S. intelligence-gathering from the bonds of accuracy and foresight. In 1998, the CIA failed to pick up on an Indian plan to test an atomic device. That same year, Al Qaeda also surprised the Agency with dual bombings of U.S. embassies in Tanzania and Kenya. And then there was the matter of the September 11 attacks.

It wasn't until the lead-up to the Iraq war, though, that Tenet delivered the coup de grâce to that great tyrant, the Fact. According to Bob Woodward's *Plan of Attack*, Tenet assured Bush that evidence that Saddam Hussein possessed WMD was "a slam dunk." Ah yes, free at last.

Thankfully, with freedom from accuracy came freedom from accountability. As Tenet told the 9/11 Commission this year, "There was not [an oversight] system in place" at the CIA during his time there. When he announced last June that he was stepping down as director of central intelligence for "personal reasons," as Bush called them, Tenet seized the opportunity to remind us that "one of [the CIA's] best-kept secrets is that we are very, very, very good." And, if you don't believe that, you probably just hate freedom.



George Tenet

DR. DEAN'S DIAGNOSIS

As if we needed one, here's another reason to oppose Howard Dean for Democratic National Committee chairman (see "Scream 2," December 13). Speaking on "Meet the Press" last weekend, Dean said of the 2004 election: "We ran the best grassroots campaign that I've seen in my lifetime. [Republicans] ran a better one. Why? Because we sent 14,000 people into Ohio from elsewhere. They had 14,000 people from Ohio talking to their neighbors, and that's how you win in rural states and in rural America. If we don't do those things, we aren't going to win. We have to learn to do those things." Notice the trademark Dean certitude—spoken as if only he sees the basic truth everyone else has been missing. But that's pretty ironic coming from a man who blew the Iowa caucuses last winter thanks in part to local Democrats alienated by the thousands of orange-capped Deaniacs streaming into the state (many from liberal coastal enclaves) telling them how to vote. It seems Dean has at least learned his lesson. But it would be nice if the next DNC chairman had some proven foresight, not just painfully earned hindsight.

THE *TIMES*' ASTROTURF BURNS

It's common practice for politicians to invite an average American to testify on behalf of a new proposal. To wit, *The New York Times* wrote this week, "White House officials scheduled a single mother from Iowa, Sandy Jaques, to speak [at Bush's economic summit] on the advantages that private accounts could offer to divorced spouses and widows."

The problem is, Sandy Jaques is no average American. The first clue comes from the White House itself, which notes that she is a "National Advisory Council Member [for] Women for a Sound Social Security Choice." Digging a little deeper reveals that Jaques is also the Iowa state chair for FreedomWorks (formerly Citizens for a Sound Economy), a right-wing think tank run by former GOP Representative Dick Armey. So, far from being a concerned single mother who went out and founded a grassroots organization, she is actually a Washington shill who organizes Astroturf operations. In fact, in announcing her hiring on the FreedomWorks website in October, the organization said as much: "In her new role with Iowa FreedomWorks, she organizes statewide grassroots support for [personal retirement accounts]." And Jaques doesn't just spend all her time on Social Security reform—she is also a senior staff member at the Midwest Public Affairs Consortium, a Des Moines government affairs firm that helps everyone from Sprint to the Iowa Republican Party lobby Washington.

FreedomWorks calls Jaques an "expert on Social Security reform," but, other than a few years promoting priva-

David Cowles

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tization, it's hard to see where she gets the qualifications to sit on the president's supposedly bipartisan, blue-ribbon panel. Of course, the White House would like us to believe it values her as much for her single motherhood as for her years as a political operative. Unfortunately, the *Times* seems to agree.

PREDICTION OF THE YEAR

"KERIK'S GOT A BIG FUTURE: AFTER HOMELAND SECURITY, SENATE MAY BECKON HOMEBOY BERNIE" —Headline of a column by pundit Zev Chafets that appeared in the New York *Daily News* on December 5, five days before Kerik withdrew his nomination to head the Department of Homeland Security after admitting he failed to pay taxes for a nanny who may also have been an illegal immigrant (and amid a swirl of investigative stories casting doubt on his qualifications)

DANGERS OF IGNORING YOUR OWN ADVICE

"PEOPLE CARE INCREMENTALLY A little bit less about what a novelist has to say on the subject of politics. I think the erosion is steady, thankfully slow, but, unless you're John Grisham—and even if you are John Grisham—who cares? In America, you might sway the 150,000 already converted and make yourself look like an ass in the process." —Jonathan Franzen, in a December 10 interview with the BBC, explaining why writers should avoid politics

"[I am voting for] Kerry, of course. He's the candidate whose defeat Osama Bin Laden (if he's alive) is praying for. I trust him not to pour additional gasoline on the fires that Bush has set overseas. Also, since he's a Democrat, I trust him to exercise a modicum of fiscal sanity and to show a little compassion for the unlucky. Also, his wife is hot hot hot. She'd be a first lady for the ages." —Franzen, writing in an October 11 *Slate* feature titled "WHO ARE NOVELISTS VOTING FOR?" ■

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&c.

NOAM SCHEIBER

BERNIE KERIK WUZ ROBBED: One of the most interesting things about the coverage of the Bernie Kerik fiasco this weekend was how many factors *absolutely did not* figure into the decision to withdraw his nomination as Homeland Security chief. According to various news accounts, the reason Kerik's nomination was withdrawn had nothing to do with the conflicts of interest he would have brought to the job, his history of financial and legal problems, his possible incompetence at training security forces in Iraq, his tentative commitment to liberal democracy (see his statements criticizing John Kerry during the recent campaign and his time as a security guard in Saudi Arabia), or the investigative pieces various news organizations were apparently working on. He would have been a truly inspired nominee—someone the White House would have been proud to nominate and whom Rudy Giuliani would have been proud to recommend—if not for that niggling nanny problem. Oh, the injustice of it all.

ZELL MILLER, MAN OF PRINCIPLE: Why did Zell Miller have to demean himself by taking a job as a Washington lobbyist—er, "senior policy adviser"? Turns out he'd dreamed of living out his days in the town of his birth, tiny Young Harris, Georgia, and teaching at his alma mater, tiny Young Harris College. But, before he could hang his hat in the faculty lounge, a professor at the college wrote a mean, mean letter that called Miller a "disgrace to your city, your county, your state, and your country." The letter, which ran in *The Atlanta Journal-Constitution*, was apparently so offensive that Miller vowed never to teach at the campus, thus consigning himself to a life of K Street whoring. But at least it's a life of whoring Miller can lead with his dignity intact.

JOHN SNOW'S LUCKY DAY!: This administration has never found the public interest an especially compelling consideration when it comes to economic policy. (Ditto the idea that people who know something about economic policy should make it.) But why, purely in terms of political self-interest, did the White House decide to keep John Snow on at Treasury?

The way *The Washington Post* and *The New York Times* reported the decision on December 9, the White House felt like it had to end the uncertainty surrounding the Treasury job, which threatened to hurt the already weak dollar and undermine the opening push on the president's second-term agenda. The *Post* went on to suggest that Snow was a compromise between the White House and various conservative interest groups. Snow's mid-'90s flirtation with budget hawkery didn't endear him to conservatives when he joined the administration two years ago. But Snow has proved to be a loyal trooper with very few new ideas of his own (and no sentimental attachments to his old ones), which, at the very least, meant he didn't get in the way of their radical tax-cutting agenda. When the first choice of conservatives, former Texas Senator Phil Gramm, fell by the wayside (the White House felt Gramm would be too independent), conservatives figured they were safer with a hack like Snow than with, say, a heavy-hitting Wall Street financier who might have some crazy idea that the bond markets care about the deficit.

The problem is that Snow was already not well-regarded on Capitol Hill. Republican staffers say he's a virtual nonentity. (Snow sometimes takes credit for the 2003 Bush tax cut—which lowered taxes on dividend income and capital gains, among other things. But Glenn Hubbard laid the groundwork for this legislation before he resigned as White House Council of Economic Advisers chairman in early 2003. Snow's only real accomplishments have been to hamhandedly talk down the dollar and to refer to job losses as a "myth" late in the presidential campaign, which almost cost his boss a job.)

With the administration looking like it reluctantly stuck with him only to avoid more short-term uncertainty, it's hard to imagine that Snow won't be out as soon as the White House finds an acceptable replacement. (One White House aide was paraphrased in the *Post* a few weeks ago saying Snow could "stay as long as he wants, provided it is not very long.") And, even if somehow that's not the case, the lingering perception will make few on Capitol Hill, where the GOP ranks are extremely skittish about Social Security reform, eager to deal with him. The only way I see the White House advancing its domestic agenda in this context is by hiring a point man specifically for Social Security or tax reform—someone with real stature, like Hoover Institution economist John Cogan (though Cogan recently rebuffed the White House). But, of course, hiring someone to circumvent Snow by definition makes Snow even more useless. All of which is to say, Mazel Tov, Mr. Secretary! It's your world. We're just living in it.

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TNRFORUM A NEW LIBERALISM?

Following are a series of responses to Peter Beinart's December 13 cover story by MoveOn and four potential candidates for Democratic National Committee (DNC) chair.

Old Fashion

BY DONNIE FOWLER

DEMOCRATS CONTINUE TO struggle with security policy in the eyes of American voters, despite the bumbling of President Bush and his "war cabinet" of draft-dodgers and pseudo-intellectuals. "We're at war," the White House says. Yet it is not their children who fight. "We must sacrifice," Bush asserts. Yet he gives tax cuts to his wealthiest friends and sweetheart contracts to Dick Cheney's Halliburton. Cheney and Defense Secretary Donald Rumsfeld believed Ahmed Chalabi when he promised that American troops would be greeted with "sweets and flowers." Yet Rumsfeld's recent high-profile trip, nearly two years since the invasion, took him only as far as Kuwait. Was he allergic to daisies?

Unfortunately, too many voters in the 2002 and 2004 elections were allergic to the Democrats. The result is that a fragile bipartisan balance of power has developed into a quick decline into minority status for the party of Woodrow Wilson, Franklin Delano Roosevelt, and, yes, Bill Clinton. After all, wasn't it Clinton's military that dispatched with the Afghan Taliban and Al Qaeda less than a year after Bush took the White House?

So what's the problem with the party of the left when it comes to national security? Despite Karl Rove's successful postelection spin that the 2004 election was about values, the truth is that reassurance and security moved the voters that made the difference. Particularly among married and college-educated women, the electorate believed that the Republicans would better protect them and their families than multi-medal, thrice-wounded John Kerry. So, while the Democrats are now fighting among themselves over whether we have values, we have done nothing to address the real thematic reason for Kerry's loss.

Democrats have conceded so much territory to the Republicans on security that we have left little room to make the case for ourselves. Our (in)actions suggest that even we have bought the line that you cannot be patriotic and be a Democrat. Since when does patriotism belong to the Republicans? Since when does the flag belong to the right wing?

Democrats are not connecting with voters, despite clear policies that favor the military, its veterans, and its families. We love issues so much that we forget to put them in a context that voters understand and, more significantly, that they feel.

The Democratic Party can do better in communicating to the American people our commitment to keeping the United States strong and safe. That means talking about security as a core principle of our party, not another policy proposal. Security for American voters means the safety of their families before it means the soundness of our borders. It means the peace of mind that comes with strong, decisive leadership before it means rewarding a candidate for the decorations of distinguished military service.

As the Democratic Party looks to reform itself after three bruising losses in a row, the DNC must play a central coordinating role for congressional, academic, and political efforts to blunt the Republican advantages on many issues, including security. It is not the national party's role to set policies, nor should it design by itself the messages that will resonate. The DNC, however, is an indispensable vehicle that can bring together federal and state elected officials with think tanks, practitioners, and political operatives. A new DNC must broaden its mission from a presidential campaign committee to a clearinghouse for ideas and tactics. Only then will we expose the Republicans' hypocrisy on security while promoting a progressive policy that makes the United States both safer and stronger. ■

Donnie Fowler has worked on numerous Democratic campaigns and is a veteran telecommunications and technology executive.

Safety First

BY MARTIN FROST

PETER BEINART PROVIDES an important history lesson highlighting the Democratic Party's strength on national security in years past and its leading role in fighting communism. The party has traditionally been the one that fights for strong national defense and a commitment to national service. But, while Beinart correctly diagnoses a public perception problem for Democrats on the issue of national security, he unfortunately underestimates the Democratic Party's current commitment to winning the war on terrorism.

I am running to be the next chairman of the DNC to give voice to the millions of Americans who share the Democratic values that make this country great. Our challenge is to make sure the public knows that Democrats are on the frontlines of fighting terrorism. Too many Americans are unaware of the following facts:

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• It was a Democrat, Senator Joe Lieberman, who initially called for the formation of the Department of Homeland Security, an idea originally opposed by the Republican leadership and the White House.

• It was Democrats who called for the independent 9/11 Commission to reform and refine our intelligence community to be more effective in combating terrorism, another crucial national security improvement that Bush and the Republican leadership opposed.

• It was the Republican leadership who stalled the passage of the monumental intelligence overhaul bill due to intraparty struggles over other, less time-sensitive legislation.

• It is Democrats who are calling for a stronger commitment to our troops so that they have the tools and equipment in the field to win the war and return home safely. Instead of making the needed financial commitment to win the war on terrorism, Republicans have put their heads in the sand with tax cuts aimed at the highest income brackets, driving the country deeper into debt owed to foreign countries like China.

These are just a few of the examples that show how the Democratic Party is taking action to win the war on terrorism while, far too often, the Republican leadership is giving lip service—not real service—to supporting our troops in their efforts. The Republican approach is not only irresponsible, it is dangerous.

My lifetime of support for a strong military comes from the heart. My father was an aerospace engineer and worked for General Dynamics, which is now Lockheed Martin. After college, I enlisted in the Army Reserve and, after completing basic training at Fort Dix, served in a JAG unit. My wife, Kathy, is a major general and the highest-ranking woman in the United States Army. So, when I work to strengthen our nation's defenses and protect our military, it's personal. In my commitment to a strong national defense and winning the war on terrorism, I am not alone in the Democratic Party. I intend to let all Americans know that Democrats will speak truthfully to them, stand toe-to-toe with the terrorists, and never blink. ■

Representative Martin Frost is a former chair of the Democratic Congressional Campaign Committee and the House Democratic Caucus.

Time Warp

BY SIMON ROSENBERG

As Peter Beinart wrote, 1947 was indeed a crucible for progressive politics in the United States, and Democrats would do well to recall its lessons. But it was not just anti-communism that gave mid-century liberalism its strength and enduring validity.

In 1947, George Kennan, writing under the pseudonym "X," also offered a competing vision of the proper American response to the gathering Soviet threat. Anti-communism, he said, was not sufficient. To fully meet the Soviet challenge, Kennan believed the United States had first to look inward at its own deepest values. Americans had to know not merely what we opposed, but, more importantly, what we stood for:

> The issue of Soviet-American relations is in essence a test of the overall worth of the United States as a nation among nations. To avoid destruction the United States need only measure up to its own best traditions and prove itself worthy of preservation as a great nation.

Franklin Delano Roosevelt and Harry S. Truman understood this political challenge well. They knew anti-totalitarianism alone was not a sufficient battle cry to galvanize a nation weary of war. They saw that, to have resonance, liberalism also must reflect a deepening commitment to American leadership around the world, one that is given form through the values of freedom, equality of opportunity, rule of law, and respect for human rights.

Today, the United States faces an administration that has failed to learn the critical lessons of the twentieth century and has only embraced one half of Kennan's synthesis. This administration is waging a campaign against terrorism, but it has failed to offer a credible vision of how the United States can move the world toward a peace and prosperity rooted in our own best ideals. Moreover, the Bush administration's failing Iraq policy and the serial lies about its intentions and principles have so tarnished U.S. standing abroad that they have unforgivably weakened our ability to conduct and win the struggle against Islamic extremism.

So 2004 is not 1947. The war against Islamic extremism is not the cold war, and Bush is not Roosevelt nor Truman. Our choices are different now. Yes, we as Democrats must articulate and embrace a muscular response to the threat of Islamic extremism and a twenty-first-century version of Kennan's vision of a United States that lives up to its own best traditions. We are also morally obligated to acknowledge that President Bush's record is deeply worthy of skepticism, and we can no more ignore those in our party who have rightfully voiced dissent than we can forget how we won the war against communism.

Our urgent goal as a party should be to work with those who have led the fight against Bush's dangerous policies and, together, to craft a new and compelling vision that is rooted in the very best of the United States *and* utterly defeats the threat of terrorism. Ultimately, Beinart's framing of our current moment as 1947 redux is instructive, but it is not an accurate description of our time. ■

Simon Rosenberg is president of the New Democrat Network.

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Steady Hand

BY WELLINGTON E. WEBB

PETER BEINART'S THOUGHTFUL analysis of the Democrats' internal disagreements warrants some additional perspective. Both major parties have differences of opinion within their ranks. The Republicans are deeply divided over fundamental issues, such as immigration, the budget deficit and spending, and abortion rights (which are supported by the party's two biggest-state governors, Arnold Schwarzenegger and George Pataki, and their most visible spokesperson in 2004, Rudy Giuliani). The Democrats, too, have their moderate and liberal wings. Winston Churchill, an astute observer of U.S. politics, described this as our nation's "tumultuous stream of party friction."

But, on the critical issues of our time—our national and economic security—the Democrats can proudly and assertively lay claim to an agenda that reflects the values and priorities of a clear majority of Americans. On domestic policy, it's safe to say that most Americans prefer, for example, the steady hand of Robert Rubin and the track record of sound fiscal policy, social equity, expanded economic opportunity for all working Americans, and sustained prosperity that are part of the Democratic legacy to the reckless and destructive accumulation of debt and net loss of jobs of the Bush administration.

On national security, we Democrats offer a compelling message of a stronger, more focused battle against terrorism abroad: implementing the 9/11 Commission's urgent and bipartisan recommendations on enhanced intelligence-gathering and integration, providing our troops in Iraq with the equipment they need rather than excuses, and filling in the dangerous vulnerabilities in homeland security related to chemical facilities, air cargo, port and border security, and other areas that inexcusably remain unaddressed. A serious security gap exists between the Bush administration's words and deeds in ensuring that our nation possesses the military assets, appropriate troop strength, strategic partnerships, scope and depth of intelligence, and longer-term vision that are absolutely necessary to eliminate both the branches and the roots of terrorism. Rumsfeld should be fired.

In Colorado, one of the so-called red states, Democrats won control last month of the state House, the state Senate, and U.S. Senate and House seats previously held by Republicans. This was not done by taking our party's core constituencies for granted, nor by conceding any portion of the state to the Republicans.

The Democrats have to listen before we can lead. As I learned from speaking with many of our state Democratic chairs, there are issues of regional importance that our local and state leaders are uniquely qualified to address in what must be a 50-state campaign. The message is essential. But it is also important to connect with voters to give people the confidence that our message will impact their lives in a powerful way. ■

Wellington E. Webb is vice chair of the Democratic National Committee and a former mayor of Denver, Colorado.

Us and Them

BY WES BOYD AND JOAN BLADES

PETER BEINART'S GUIDANCE to the Democratic Party is replete with misstatements about MoveOn and mistaken advice for Democrats charting a course to electoral victory ("A Fighting Faith," December 13). On the misstatements: Our membership is nearly double his estimate, and we never in fact opposed targeted military action against Al Qaeda and its Taliban backers in Afghanistan.

More troubling is Beinart's strategic advice to wind the clock back to the dawn of the cold war and adopt a simplistic us-versus-them mentality that would put a life-or-death struggle with "totalitarian Islam" at the center of the Democratic worldview. And he accuses *us* of having a "negative" view of the new era?

The future of liberalism depends not on identifying and vilifying an enemy and manipulating the American public, but on espousing a positive vision for the future around which a movement, a party, and an American consensus can be built. Our experience with MoveOn's 2,900,000 members, who set our agenda, gives us confidence that this vision will emerge from the combined voices of real people who have more faith in the power of democracy and rationality than the right-wing policy elite in Washington, D.C.

We can only surmise that Beinart's decision to lash out at progressive forces within the party—going so far as to imply they must be "purged"—must be due in part to the difficulty he and this magazine would have defending how the very strategy he promotes led us into a disastrous quagmire in Iraq. We will set aside the question of whether the best place to debate the future of the Democratic Party is in a magazine in which two-thirds interest was recently purchased by Roger Hertog (chairman emeritus of the Manhattan Institute) and Michael Steinhardt—two men who are either not part of the Democratic Party or are far to the right of any center the party has ever known.

Beinart is simply wrong to state that MoveOn opposed the war in Afghanistan against the Taliban and Al Qaeda. We did urge that retaliation be targeted at military bases and at those who attacked us, believing that excessive military force, if not limited to terrorist camps, could lead to unnecessary civilian death and suffering and further fan the flames of terrorism.

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We are keenly aware of the need for vigilance against terrorism after September 11. To accuse us of indifference to this is pure fabrication. We do not, as Beinart implies, minimize the threats we face, nor are we hostile to U.S. power or its use to counter real dangers. Security must be a guiding principle for Democrats and all Americans. We want our children safe, our homes and offices secure, and terrorism defeated.

We agree that American military force must be available as an option for responding to very real threats to our security that exist now and surely will in the future. Military force is not the only answer, however. This is a philosophy that drove our view on Iraq, where our signature campaign pulled together a broad coalition of individuals and organizations to support inspections not war.

Our focus on real threats and our understanding of history led us to vigorously oppose the misguided, preemptive war launched by the Bush administration in Iraq. President Bush—with THE NEW REPUBLIC's firm support—attacked an enemy with no connection to the real threat (Al Qaeda) and who posed no immediate threat to our safety and security. The Iraq war has in fact only made us less secure, creating more terrorists seeking to harm us—precisely the disastrous dynamic predicted before the war by CIA intelligence analysts and State Department diplomats and acknowledged recently in reports from the Pentagon itself.

Beinart ignores these facts on the ground and instead recommends a wholesale embrace of the neoconservative ideology that we face a worldwide clash of civilizations and that those who recognize it are "hard" and those who don't are "soft." This is nonsense. We would like to see analyses by TNR of the truly "hard" choices our nation faces in addressing terrorism, which have been totally overshadowed by the Iraq debacle: How we will approach Russia and the former Soviet Republics to deal with nuclear proliferation? How will we deal with supposedly friendly nations like Saudi Arabia, which foments extremism in religious schools? How will we require U.S. companies to address the security of their own infrastructure? And how will we get serious about inspecting goods flowing through our ports?

Getting tough on terrorism means getting tough on some of the Bush administration's core constituencies and old friends. And the Bush administration and the neocons are "soft" because they don't have the political will to take them on. Democrats can and should take a tough stand and build a fact-based "hard" security policy for our nation. ■

Wes Boyd and Joan Blades are software entrepreneurs and co-founders of MoveOn.

PETER BEINART RESPONDS:

Wes Boyd and Joan Blades write that I am "simply wrong to state that MoveOn opposed the war in Afghanistan." But the petition MoveOn circulated after September 11 speaks for itself. It demands that the United States "support justice, not escalating violence," calls for "ending the cycle of violence," and says that "[i]f we retaliate by bombing Kabul and kill people oppressed by the Taliban dictatorship . . . we become like the terrorists we oppose."

By any reasonable standard, that is opposition to war in Afghanistan. War, by definition, does not end "the cycle of violence." And any military action that avoided "bombing Kabul" would have left the deeply interwoven Taliban–Al Qaeda regime in power. Had the United States done as MoveOn counseled, we might have avoided killing Afghan civilians. But prolonged Taliban–Al Qaeda rule would surely have killed many more while threatening American lives as well. It is this insistence on absolute American purity, and the refusal to make real world moral tradeoffs, that produces the practical hostility to U.S. power that Arthur Schlesinger Jr. termed in *The Vital Center* "doughface" progressivism.

Boyd and Blades also deny that MoveOn has "minimize[d] the threats we face." But how else can one interpret MoveOn's July 18, 2002, bulletin, which claims absurdly that the (admittedly flawed) Patriot Act "nullified large portions of the Bill of Rights" and then says, "The big question is, '[I]s it worth it? Is the threat to the United States' existence great enough to justify the evisceration of our most treasured principles?' " This is civil-libertarian alarmism at its worst—vastly exaggerating the threat from John Ashcroft in order to downplay the threat from Al Qaeda.

THE NEW REPUBLIC has written repeatedly about the topics that Boyd and Blades urge us to investigate: We have excoriated the Bush administration for its refusal to make securing nuclear materials in the former Soviet Union a priority, for coddling the tyrants in Riyadh, and for its unwillingness to adequately fund homeland security. On Iraq, while we have long advocated the overthrow of Saddam Hussein, we have also condemned the Bush administration's dishonesty, arrogance, and incompetence in carrying it out (see "Lesson Plan," page eight). Earlier this year, we even published a special issue about Iraq titled "WERE WE WRONG?"—the kind of searching self-examination MoveOn might want to undertake regarding its stance on Afghanistan.

Finally, "neoconservative ideology" is precisely what my article does not advocate. I want Democrats to make defeating totalitarian Islam their defining passion because I believe that it is liberalism, guided by its best traditions—not "neoconservative ideology"—that can make Muslims free and Americans safe. It is that brand of liberalism that I hope MoveOn will one day embrace. ■

Agree? Disagree?
Got something to add?
Write The New Republic's editors at letters@tnr.com

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Moscow Dispatch

Psyched Out

BY MASHA GESSEN

MOSCOW THESE DAYS is a city of endless traffic jams in which men in Saville Row suits drive Mercedes SUVs; it is a city of advertising on billboards lining avenues and draped over entire buildings. It is, in other words, a picture of conspicuous consumption. But there is something odd about this picture: Everything, from the men in their SUVs to the billboards, projects anxiety. One of the billboards, advertising a series of new apartment blocks, announces, WE WILL RAISE OUR PRICES! The message is not "buy while it's cheap"—rather, it is a message of false reassurance, much like the headlines in many real estate magazines, all of which are variations on the phrase, "There will be no crash."

Moscow, and Russia as a whole, has been shivering in anticipation of economic disaster. The wait may be almost over. Last week, the Russian stock market tumbled more than 10 percent, apparently in reaction to a massive tax bill recently presented to Vimpelkom, Russia's second-largest mobile-phone service provider. Capital flight is increasing as well: It is projected to surpass $10 billion for 2004, about five times more than last year.

Yet Russia's basic economic indicators appear solid. The ruble is strong. Russia has sizable hard currency reserves. Economic growth has been steady, and the price of oil, which dominates Russian exports, shows no sign of falling significantly. So how can capital flight be skyrocketing and the market crashing when, on the surface, things look so good? Psychology. Ultimately, true economic success is impossible in a country whose citizens refuse to believe in it or in their leaders. Without this confidence, even an ostensibly strong Russian economy remains vulnerable to all blows.

FEAR FIRST REARED its head this July. Back then, the authorities recalled the banking license of a second-tier institution, Sodbiznesbank, which had, for years, been under investigation for money-laundering. Then someone circulated a supposed "blacklist" of banks targeted for future investigations. The document seemed to have little basis in fact, but it whipped through the Web and produced a textbook bank run as depositors descended on banks in droves. Banks panicked, using extreme tactics to hold on to the money. One private bank imposed illegal fines on early withdrawals. The state savings bank said it was creating a blacklist of bad customers who abandoned the bank in its hour of need. All this only fueled the panic. The government reassured the public that there was no crisis, but this only made things worse. Finally, a large private bank, Guta, cracked, pasting notices upon its doors: "The bank has had to suspend operations due to the large number of requests for cash in recent days." Within days, a state-owned bank, Vneshtorgbank, bought what remained of Guta for the pathetic sum of $32,000, proving to Russians, once again, that the government can take whatever it wants and won't even pretend to pay a fair price.

So people withdrew even more money: Recently released figures show that Russians bought $3.7 billion of foreign currency in July. In fact, I found myself in a long queue at a currency exchange in Moscow that month. I was changing money because Moscow stores had suddenly stopped taking credit cards, and, having recently returned from the United States, I was carrying dollars. There was a line at the exchange place, located in a part of Moscow that has a dozen exchange shops on one block. While I waited, I noticed something I hadn't seen in years: the exchange rate changing in front of my eyes. Every few minutes, a person emerged from one of the small currency exchange shops to change the rate displayed in front, pushing the dollar and euro up a fraction of a percentage point each time. The Russian currency market had already closed for the weekend, fixing the exchange rate for the next three days, so what I was observing was a psychological phenomenon—street economics at its most nervous.

The last time these sorts of things happened—stores stopped taking credit cards and the exchange rate changed every few minutes—was in 1998, when the ruble collapsed and Russia fell into economic crisis. Now the atmosphere of the disastrous summer of 1998 had been recreated down to the smallest details, from the crowds of depositors pounding down doors of banks to the grim jokes among Russian entrepreneurs. One joke describes a phone conversation. "Hello, how are you?" asks one Russian. "Great," comes the answer. "Sorry, I must have the wrong number."

Since the summer, Moscow's businesses have been braced for total disaster. Entrepreneurs exchange tips on safeguarding liquid assets; the current wisdom is that putting cash in bank safety deposit boxes is too risky because banks will raid their own safety deposit vaults when a crisis hits. Moscow's real estate brokers are frantic: Sales have dropped off after three years of skyrocketing prices. If banks are unstable, the logic runs, funding may be pulled from hundreds of construction projects, leaving unfinished buildings that will be sold off for pennies, undercutting prices for the rest of the city. Such is the level of Russians' confidence in the market these days that a nasty rumor about banks or a bill for back taxes presented to a single company can wreak havoc.

After all, Russian businessmen have come to believe that a back tax bill is never just a back tax bill. The economic event of the year is the protracted trial of Russia's wealthiest man, Mikhail Khodorkovsky, and his business partner, both accused of tax evasion and fraud. Khodorkovsky's oil company, Yukos, has been ordered by the courts to cough up more than $18 billion in back taxes and

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fines. Now it looks likely that the bulk of the company will be sold to the state gas monopoly in a rigged auction. Since last October, when Khodorkovsky was arrested, the Russian stock market has reacted to every motion, statement, and rumor in the Yukos case, dropping on the frequent bad news—the tax authorities announcing new investigations into Yukos—and bouncing back at the less frequent glimmers of hope, such as when President Vladimir Putin said he didn't want to bankrupt Yukos.

The stock market's dependence on the perturbations of a trial stage-managed by the Kremlin—and on the price of a stock few will touch (yet which still constitutes an enormous percentage of the market)—is a remarkable indication of just how fragile Russia's financial system remains. Even more remarkable is the logic of the case itself. The charges say, in essence, that Yukos used loopholes in the law to avoid paying some taxes—and it shouldn't have done so, even though the loopholes were legal. Russian courts have already applied similar logic to other companies.

The other economic event of the year is the reform of the social benefits system. The Putin administration has pushed through parliament a bill overhauling the old Soviet system of aiding the elderly, the disabled, and the otherwise disadvantaged. Today, as many as 50 percent of Russians qualify for some benefits—free public transportation, free prescription drugs, discounts on utility bills. The system is messy: No one knows exactly how many beneficiaries there are, and many laws on benefits are routinely flouted by commercial pharmacies, rail carriers, and others. The government is planning to replace the benefits with monthly cash payments for all qualified individuals. On the face of it, the idea is sound: It ought to cut down on abuse, boost the circulation of money, and give beneficiaries some freedom of choice. But there are several large problems with the reform. First, the government has no way of knowing who should be getting what, which means the very old and the very ill will have to line up outside civic offices to prove they deserve to be paid. Second, if the Kremlin has its way, the cash payments will not be indexed to inflation, which could render them relatively meaningless in a few years. Third, and most important, the public does not trust the government. Russians believe that, given the opportunity to get their hands on the benefit money, the authorities will rob them blind. What the Yukos trial is teaching the very rich, benefits reform is confirming for the very poor. Between them, those two groups comprise most of the population.

The confidence divide is growing. The government is overconfident, while the public has little confidence—in the government, the economy, or in their own security. The series of terrorist attacks in late August and early September, ending with the disaster at a school in the Russian Caucasus, where more than 300 people died, deepened this confidence divide even further. Opinion polls show that a majority of Russians believe the government and its troops failed them. Yet, public sentiment aside, now is clearly the best time for Putin to push through unpopular reform. He has just been sworn in for his second—and, by law, last—term. Internationally, his once-solid reputation as a liberal economic reformer has been teetering, largely because of the Yukos trial and the fact—pointed out in an International Monetary Fund report, among others—that there simply hasn't been much economic reform under Putin. The Cato Institute has graded Russia 114th—24 places below China—in its annual ranking of economic freedom.

THEN AGAIN, IT'S possible that, in a country where the mass media are now largely controlled by the state, and where there are fewer and fewer independent elected officials, Putin is only vaguely aware of the domestic pessimism and the growing international concern. His moves for welfare reform, against Yukos, and in Ukraine may result from the overconfidence of dictators, who tend to think they can get away with anything.

As it is, Putin's approval rating has slipped steadily since his reelection in March. Another wave of economic panic would surely drive it still lower, further undermining Russians' confidence in the economy and engendering a vicious cycle. No wonder Russian businessmen are so scared. ■

The bad doctor.

Daddy Knows

BY MICHELLE COTTLE

IT HAPPENS AT some point on show after show: The eyes widen. The brows arch. The forehead wrinkles. Then the hulking man in the tall chair leans toward his anxious guest and drawls, "Do you wanna hear what I think?"

The pause for a stammered assent is unnecessary. Everyone knows the question is rhetorical. The folks who ascend the studio's stage are flat-out desperate to hear what the famously opinionated Dr. Phil has to say about whatever problem is mucking up their lives. During a representative week in November, America's favorite psychologist offered his televised counsel to a jilted bride, an aspiring bride with a marriage-phobic fiancé, a runaway bride with five broken engagements, two teenage targets of pedophiles, an engaged couple squabbling over the groom's bachelor party plans, a couple with an out-of-control weimaraner, a wife enraged by her hubby's Web chats with an

Continued on page 22

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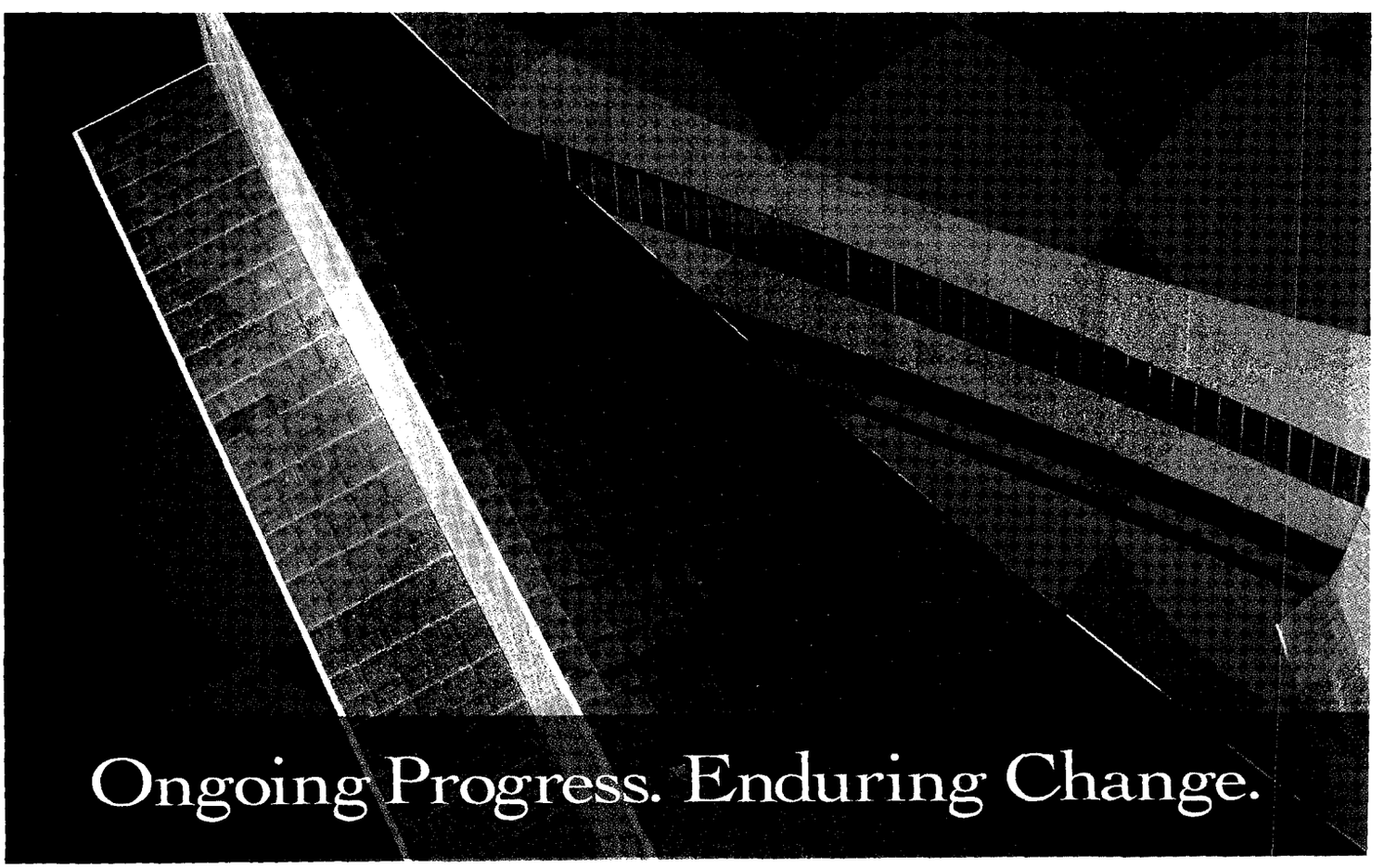

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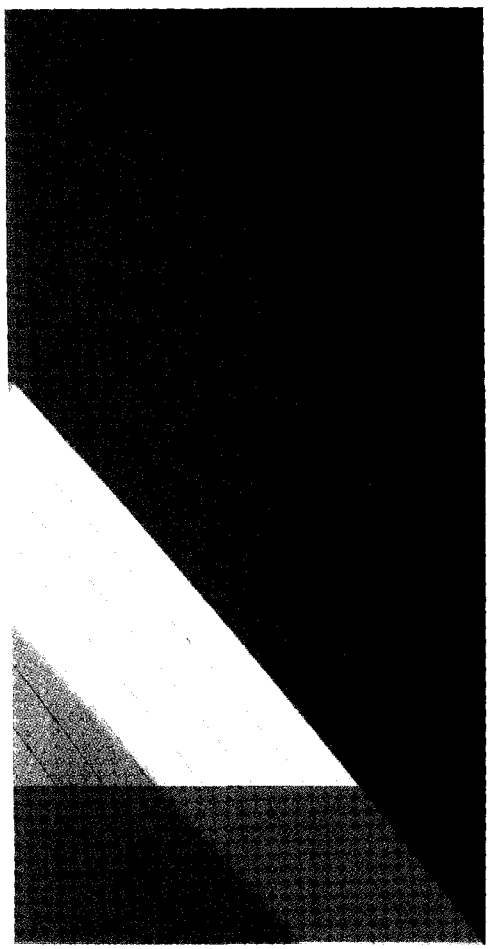
Reform is vital to Saudi Arabia's future. We are carrying out initiatives to improve political participation, education, financial controls and contribution to the world economy. Through a series of dedicated efforts, the Kingdom is creating an environment that fosters modernization and strengthens our involvement in the global community.



Political Participation – Voter registration began this November for municipal elections to be held in February 2005. Citizens will elect representatives in 178 municipal councils in cities and villages in the Kingdom's 13 provinces.

Educational Reform – Saudi Arabia is in the middle of a multi-year program to update textbooks and curricula, introduce new teaching methods and provide better training for our teachers. These initiatives are aimed at providing our young people with modern education.

Financial Oversight – Saudi laws to combat money laundering and terrorist financing have been recognized as among the toughest in the world by such organizations as the Financial Action Task Force of the G-8. The government has frozen bank accounts, seized funds and made arrests in conjunction with terror financing. We have even gone so far as to end the collection of cash contributions in mosques and public places and have established a moratorium on the ability of individuals to send money abroad.

Economic Reforms – Saudi Arabia, the largest economy in the Arab World, is applying for accession to the World Trade Organization and has signed 35 bilateral agreements with other WTO members, including China, Japan, Argentina, Australia and the European Union. The Kingdom has also taken steps to further open its economy to foreign investment and to privatize government-owned entities.

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ex-flame, and a bevy of "real-life 'Desperate Housewives'" harboring shady secrets ranging from alcoholism to kleptomania. Unrequited love, unfulfilled dreams, adultery, addiction, fear of commitment, fear of rejection, parents with violent kids, parents with lazy kids, parents with kids who refuse to wear anything but pajamas—no topic is too serious or too silly for dissection by Dr. Phil.

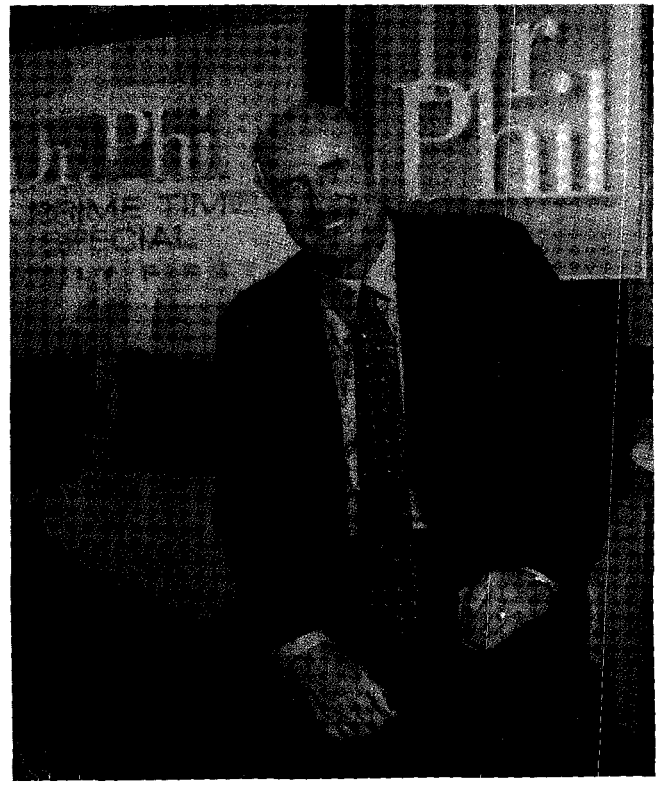
Since launching his daytime talk show two years ago, Phillip C. McGraw—Oklahoma native, Texas transplant, and self-described "country boy"—has taken the American psyche by storm. His syndicated program is watched by an estimated 6.6 million viewers. (Only Queen Oprah, his mentor, ranks higher in the pantheon of talk-show gods.) In the past five years, five of his books have hit number one on *The New York Times* best-seller list. He publishes an online newsletter, writes a monthly column for *O* magazine, and has done celebrity endorsements for weight-loss products. When he goes on speaking tours, tens of thousands of fans, mostly women, often pay upward of $100 apiece to bear witness. He is greeted like a rock star; gals have been known to mail him their undergarments. In 2001, *People* magazine named him one of its sexiest people—quite an achievement for a lumbering, middle-aged bald guy with a silly moustache. The following year, he made the magazine's list of "25 Most Intriguing People" as well as Barbara Walters's list of the "Ten Most Fascinating People." In the midst of this year's presidential race, McGraw scored sit-downs with both President Bush and challenger John Kerry (and their wives, of course) to discuss the joys and horrors of modern parenting. Around the same time, in an arguably more impressive display of clout, McGraw made a guest appearance on "Sesame Street" with his puppet alter ego, Dr. Feel. If having a Muppet created in your own image doesn't signal cultural dominance in America, what does?

The foundation of Dr. Phil's multimillion-dollar success is his folksy, tell-it-like-it-is, action-oriented brand of self-help. His website commands visitors to GET REAL. GET SMART. GET GOING. Although a licensed psychologist, he disdains the touchy-feely, I'm-OK-you're-OK nonjudgmentalism associated with most therapists and talk-show hosts. ("Analysis is paralysis" is a favorite Dr. Philism.) He boasts of having failed in private practice because he had "no patience for my patients." If a guest on his show is living selfishly, self-destructively, or just plain stupidly, Dr. Phil has no problem telling them so. "What were you *thinking*?"—exclaimed with varying blends of dismay and disgust—has become one of his signature lines. Another, "You either get it or you don't," cleanly divides humanity into those who recognize Dr. Phil's wisdom and those who are beyond hope.

People love the doc's pull-no-punches, good ol' boy shtick. And McGraw's willingness to denounce poor life choices has earned him kudos from conservative quarters. In its spring 2004 issue, the Manhattan Institute's *City Journal* cheered Dr. Phil's willingness to pass judgment and pointed to his popularity as proof of Americans' "growing thirst for moral direction." Striking a blow for red-staters, the publication crowed that "the host is at his most compelling when addressing Americans' chronic unseriousness about the meaning and obligations of marriage, especially where children are concerned—in short, doing exactly what the elite media has attacked George W. Bush for doing."

But even nonconservatives get a kick out of McGraw's macho sauciness, largely because, let's face it, all but the *leftiest of lefties* are tired of pretending that all life choices are equally valid. (In Gallup's latest poll of most-admired celebs, McGraw received higher favorability ratings among liberals and moderates than among conservatives.) Truth be told, some folks don't need to learn to love themselves so much as they need to stop being such jackasses. On some level, the joy of watching Dr. Phil is that he does what most of us would love to do: speak truth to idiocy. Thus, when Christie, a singularly talentless Ohio housewife, whined that her husband was thwarting her dream of country music stardom by refusing to move the family to Nashville, what viewer didn't envy Dr. Phil's willingness to tell the yowling twit just how self-deluded she really was? Then there was Bonnie, the Texas pageant mom who boasted about how her four-year-old daughter had proudly worn braces at age two. Dr. Phil clearly spoke for all non-insane parents when he decreed that no tot should be subjected to that sort of creepiness.

So, while critics and other media types periodically grumble about Dr. Phil's penchant for hyping the most salacious elements of his show, they still give him points for dishing up common-sense advice and for not coddling mo-



Dr. Phil knows what's best for you.

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ronic guests. (In a September 2002 editor's note justifying its gushing cover profile of McGraw, *Newsweek* praised his assault on "the culture of victimology" and noted, "Privately, we all know we have to take responsibility for decisions we control. It may not be revolutionary advice. ... But it's still an important message with clear resonance.") And everyone is simply gaga over his wry wit and colorful sayings. The prevailing sentiment seems to be that, even if the guy can be a bit arrogant and abrasive and bullying—a reputation McGraw clearly relishes—where is the harm?

Oh, where to begin? For starters, McGraw relies on much the same exploitative freak-show format as Jerry Springer or Jenny Jones, with everyone from drug-addicted housewives to love-starved transsexuals spinning their tales of woe for a salivating audience. But to help himself—and his audience—feel less icky about their voyeurism, Dr. Phil exposes America's dark side under the guise of inspiring hope and change. In Dr. Phil's formulation, cheating couples who air every nauseating detail of their sex lives on national television aren't shameless media whores, they are troubled souls courageous enough to seek help. Even in cases so marginal as to have no bearing on 99.9 percent of viewers—such as parents struggling with a child exhibiting homicidal tendencies—Dr. Phil reassures us that the publicity is beneficial to other families because these problems occur "on a continuum": A six-year-old with low-grade behavior problems today could, if left unchecked, turn out to be a serial killer down the road.

Luckily for anxious parents everywhere, Dr. Phil knows exactly how to save a rambunctious child from becoming the next Jeffrey Dahmer. In fact, McGraw has a blueprint for how to overcome virtually every life challenge, the more frightening and complex, the better. His books are subtitled like little flowcharts to happiness—"The seven keys to weight loss freedom"; "A seven-step strategy for reconnecting with your partner"; "Your step-by-step plan for creating a phenomenal family"—and subdivided into a dizzying array of numbered lists, bullet points, charts, and sidebars. This country boy doesn't just "tell it like it is"; he tells people what to do to get the life/love/weight/kids/self-esteem they want. The lure is irresistible: For a nervous, insecure nation, nothing is more seductive than a stern yet benevolent father figure offering to lift the burden of decision-making from our shoulders. Much like Fyodor Dostoevsky's Grand Inquisitor, McGraw has assumed that burden, dispensing direction, certainty, and moral clarity in an increasingly uncertain world. (Think of him as the George W. of daytime television.) The "self-help" label often applied to him is inaccurate: Dr. Phil isn't teaching people to make good decisions so much as he's teaching them to look to him for solutions. This is the real secret to—and the most disheartening aspect of—the Dr. Phil phenomenon. Forget personal responsibility, what McGraw is promoting is sweet submission to his authority. And, as his popularity grows, so do his ego and his ambitions, to the point where it is increasingly hard to tell if Dr. Phil sees himself more as America's daddy or its messiah.

JENNIFER MAY BE the quintessential Dr. Phil supplicant. A worn-down, middle-aged divorcée, Jennifer has journeyed to Los Angeles to have McGraw tell her what to do about her son, Tim, an out-of-control 16-year-old who is heavy into pot and porn and has a long history of stealing to support his drug habit.

Like most segments, Jennifer's begins with a pretaped video outlining the basics of her predicament. These "video diaries" include narration by guests, interviews with friends and family members, melodramatic reenactments, and, most disturbing, grainy footage from unmanned cameras that the show installs in people's homes to capture the unguarded "reality" of their daily lives. (As if most Americans could forget for a moment that they're being filmed for television.) Many of the diaries conclude with a guest's plea: "Dr. Phil, can you please help me [insert appeal to fix tawdry, silly, or sad personal problem here]?" Jennifer's ends more dramatically, as she drops her face into her hands and sobs at the thought of her son's grim future.

Next, we flash to Jennifer and Dr. Phil sitting close together in tall, red chairs at the center of his round stage. McGraw runs down a laundry list of Tim's misdeeds—which include slipping a 13-year-old girl into his bedroom and getting arrested the night before the show's crew showed up for taping—and Jennifer's parental failures. As usual, when a particularly juicy tidbit is revealed—such as the fact that Jennifer's last beau liked to knock Tim around—the camera cuts to a visibly shocked member of the studio audience (which tends to be overwhelmingly female and blindingly white). Eventually, McGraw shifts into judgment mode: "You can't be in that denial anymore!" "It isn't about meeting your emotional needs!" "You are in over your head!" As he scolds and dispenses his Solomonic ruling on what must be done—"I can tell you, that kid needs to be in a supportive and therapeutic environment before the sun sets today"—a cow-eyed Jennifer nods obediently, interjecting her acquiescence to McGraw's verdict: "Yes. Yes." "That's exactly it." "I know." "That's exactly what he needs." And, just to ensure that no one misses the import of this TV moment, McGraw repeatedly stresses that "we are fighting to save this young man's life." ("I truly believe that the decisions we make in the next little bit of time here are going to be determinative," he intones.) Don't touch that dial, people! Springer may have strippers and dwarves, but Dr. Phil is saving lives!

Ever the savvy host, McGraw likes to go to commercial with a stay-tuned teaser. ("The question becomes: Is it too late? Can Jennifer's son be saved?") Jennifer's case provides an extra dash of suspense: Unbeknownst to Tim, who is sequestered in the studio's green room, McGraw has arranged to have the boy enrolled in a wilderness-therapy program in North Carolina—by force if necessary. "I'm gonna try to help him see the wisdom of this," McGraw tells Mom. But, if he resists, the program's "transport agent" is "standing by." How exciting! Viewers may experience the thrill of seeing an unruly adolescent, whose every sin they

Continued on page 26

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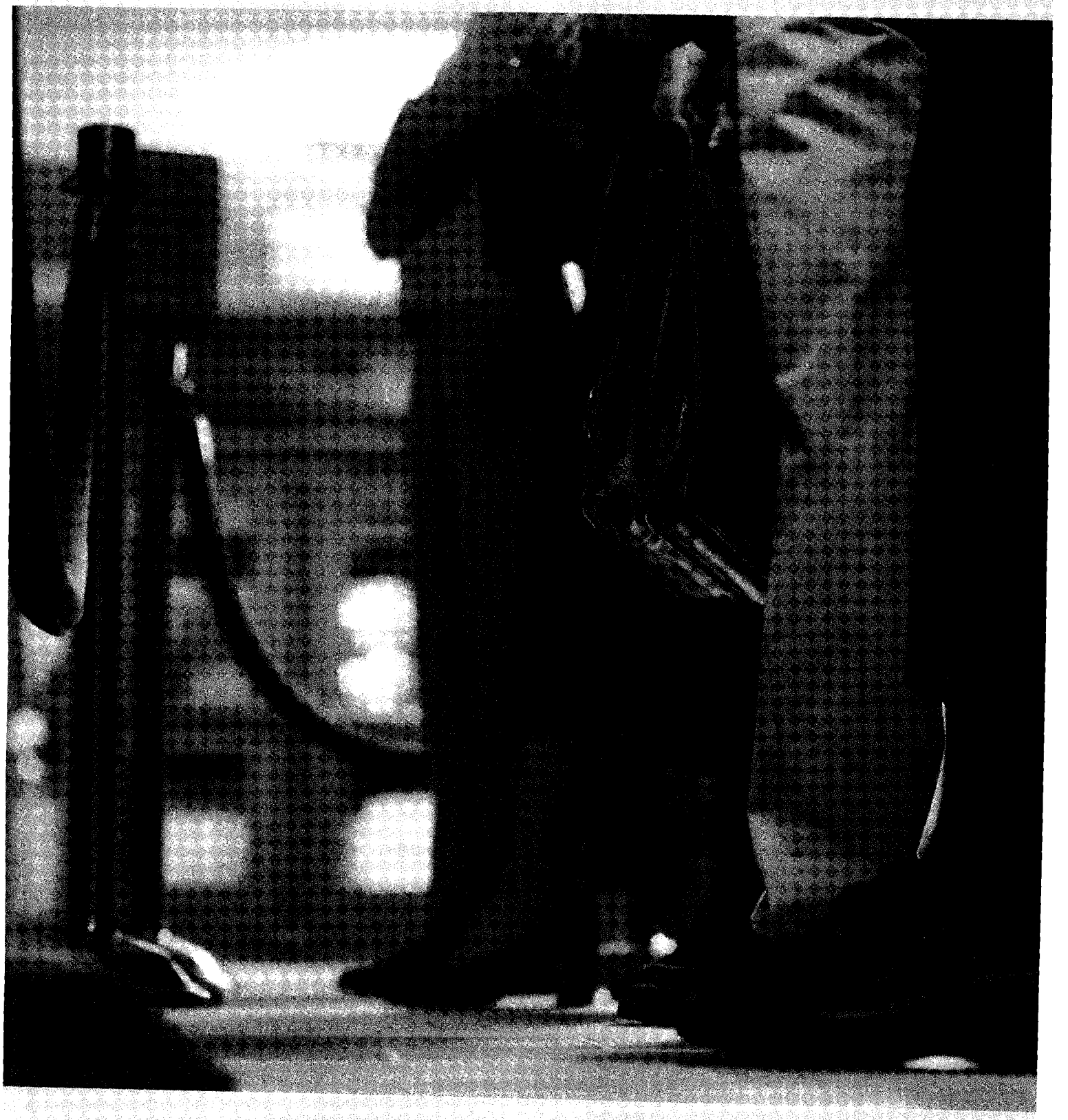

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now know by heart, hauled away in restraints—and they can feel good about watching, because this is all being done in the name of helping others.

Toward the end of the segment, the host physically propels his clinging guest toward the moment of truth. The doctor holds Jennifer's hand. He wraps an arm around her shoulder. He leads her (and the cameras, of course) backstage to the waiting Tim, but only after issuing a stern warning: You've shown courage coming this far, he comforts the trembling Jennifer. But, if you can't handle whatever happens next, he chides, "I don't even want you to go back there with me."

Now seems like a good time to pause and address Dr. Phil's particularly disturbing tendency to drag children into the cesspool of daytime television. Despite his oft-professed obsession with protecting kids from adult realities, McGraw is constantly spotlighting the little darlings on his very adult show, frequently featuring them in pretaped or even in-studio interviews about all the yucky things that go on at home. Often, the youngsters are nothing more than props used to up the emotional stakes in parental dramas. Beleaguered wife Kandi, for instance, wanted Dr. Phil's help with a breathtakingly selfish husband, Ed, who had managed to impregnate his mistress/co-worker. Installing cameras in the family's home, Dr. Phil recorded Ed and Kandi shrieking about the affair in front of their three kids; one particularly heartwarming moment featured a small boy running around the house demanding to know what an STD was.

Lest anyone accuse him of exploiting innocents, McGraw justifies such footage as an instructional tool: evidence that parents need to learn to keep the kids out of it. Stressing its sensitivity, the show digitally blurs the faces of most minors shown in the video diaries. But this only applies to full-face frontal shots. These same children are shown in profile, from behind, and in segmented shots (e.g., from the nose up, from the nose down), and their unaltered voices are heard discussing all manner of domestic seediness. Then there's the fact that everyone these children has ever met—friends, teachers, classmates, ministers, scout leaders, grocery clerks—will see (or hear about) their disgusting, pathetic parents on national television, talking about, for instance, how Ed liked to do it with his mistress on his and Kandi's bed when poor Kandi was off tending to her dying father. With that kind of exposure thrust upon youngsters, digital blurring seems beyond pointless.

For children whose problems are featured on the show, the spotlight is even hotter, such as when 14-year-old Chris came in to chat about why he wanted to pursue a relationship with a 28-year-old pedophile. In addition to revealing horrifying sexual details about Chris's childhood, the segment included Dr. Phil's playing a flirty phone conversation between the boy and his sicko suitor that had been secretly taped by Chris's adoptive dad, who happens to be the original "Survivor" winner, pseudo-celebrity Richard Hatch (a man clearly itching for 15 more minutes of fame). Then there was Dr. Phil's now-infamous prime-time special, a parenting-themed program that aired in September in conjunction with the release of McGraw's latest book, *Family First*. Featured in this two-hour extravaganza was Eric, an out-of-control nine-year-old who, we learned, liked to smear his own feces on the walls and punch his sister in the lip just to see her bleed. Dr. Phil informed Eric's parents that it was time to engage in "commando parenting," to be more consistent with their discipline and to arrange for the attention-starved lad to spend more time with his dad—all reasonable, if not especially inspired, advice. But McGraw also warned the couple that their son exhibited nine of the 14 characteristics associated with serial killers—and that Jeffrey Dahmer had exhibited only seven. (Cue the ominous background music.) Driving the point home, a picture of young Eric appeared on the screen next to a mug shot of Dahmer. How's that for "keeping the kids out of it"?

But back to Jennifer. In the green room, Dr. Phil talks with Tim about his hideous behavior. When Tim admits that he's terrified of going to prison, Jennifer meekly suggests that maybe that won't have to happen. McGraw lunges, berating the now cowering woman for having "rewritten the code" and for "minimizing the situation." "Are you kidding me?" he demands, scolding her like a naughty child. "What are you *thinking*?" Jennifer is reduced to babbling apologetically, head bowed, eyes downcast in the face of McGraw's scorn—effectively destroying whatever shred of respect Tim might have had for her parental authority. "Well, you can listen to me, or you can listen to your mother," McGraw snaps at the teen. "But you are in a lot of trouble."

And therein lies the core message of Dr. Phil: If you know what's good for you, you'll listen to me. When preparing to voice his opinion, McGraw often self-deprecatingly insists, "I don't expect you to substitute my judgment for yours." But that is precisely what he expects. It is the premise of his entire show. In fact, perhaps the most honest episodes don't involve McGraw giving "advice" so much as simply doling out rewards or threats to get people to clean up their acts. In a segment featuring a compulsive shopper, McGraw offered the young woman a gigantic diamond ring if she would agree not to buy any frivolous items for 30 days. In a more serious vein, he personally arranges for people with drug addictions or emotional problems or eating disorders to be admitted to top-notch treatment facilities that they could otherwise never afford. He often sends these people off with a good-natured warning that, if they "don't do their homework," they'll have him to answer to—the therapeutic equivalent of your dad telling you to clean your room or he'll whip your butt. Hopefully the individuals receiving such intense assistance wind up healthy. But, whatever else they achieve, Dr. Phil's grand interventions sell the idea that what we all really need is a rich, well-connected fairy godfather to swoop in, reorder our lives, and keep us in line—perhaps not the best message for most adults to internalize.

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THE DR. PHIL phenomenon began humbly enough. McGraw was born "dirt poor" in Vinita, Oklahoma, in 1950. His mother, Terri, was a clerk; his dad, Joe, was a high school football coach turned oil-equipment salesman who went on to earn a psychology degree in his forties. Joe was also an alcoholic, making childhood less than idyllic for Phil and his three sisters. Taking solace in sports, McGraw managed to win a football scholarship to his dad's alma mater, the University of Tulsa. But injury prompted him to transfer to Midwestern State University in northern Texas, from which he graduated in 1975. The following year, McGraw—who had married and divorced young—married his current wife of 28 years, Robin, with whom he fathered sons Jay and Jordon. In 1979, McGraw received his doctorate in clinical psychology from the University of North Texas and went into psychology practice with his dad.

McGraw often talks about how frustrating he found private practice, largely because of his lack of patience with the process. But, in 1988, his career hit a more concrete bump. The Texas State Board of Examiners of Psychologists formally reprimanded McGraw for carrying on an inappropriate relationship with a 19-year-old therapy client. The young woman, whom McGraw had not only counseled but also hired to work in his office (a no-no according to the board), alleged that their relationship had been controlling and, at times, sexually inappropriate. McGraw denied the charges and settled with the board, but, according to the unauthorized biography *The Making of Dr. Phil*, the board's disciplinary actions included requiring McGraw to take an ethics class and undergo a year of supervision by a licensed psychologist. A year later, McGraw abandoned his practice.

Divorced from psychology, McGraw contracted acute career ADD, fluttering from one field to the next. He ran a pain clinic. He worked in management training. He consulted for airlines. Having frequently testified in court as an expert on the human brain and behavior, in 1989, McGraw cofounded Courtroom Sciences Inc. (CSI) to help prep witnesses for trial. When, in 1996, Oprah Winfrey found herself in legal trouble with Texas cattlemen because of her on-air statements about mad cow disease, she was referred to CSI. As McGraw tells the story in his first book, *Life Strategies*, the daytime diva was wasting precious time and energy obsessing about why this was happening until, one day, he took her by the hand and commanded, "Oprah, look at me, right now. ... You'd better *get over it* and get in the game, or these good ol' boys are going to hand you your ass on a platter."

Emerging triumphant, Oprah decided to introduce the world to her new guru, whom she nicknamed Dr. Tell-It-Like-It-Is Phil. McGraw first appeared on Winfrey's show in April 1998. He was soon a regular, and wildly popular, Tuesday feature. At Oprah's urging, McGraw began entertaining offers for a spin-off show, and, in September 2002, "Dr. Phil" debuted on NBC affiliates across the nation, scoring higher ratings that year than any show of its genre since Oprah's freshman season in 1986. The subsequent chapters of McGraw's story read like the turbo-charged fantasy of some dirt-poor kid from rural Oklahoma.

By now, Dr. Phil has gotten so big that he no longer confines his "life makeovers" to individual families. Earlier this year, McGraw adopted the entire town of Elgin, Texas, located a few miles east of Austin. He chose Elgin not because its citizens are so screwed up, but because they are a painfully normal representation of, as the show has labeled it, "Anywhere, USA." But that hasn't stopped Dr. Phil from moving in and lecturing the entire citizenry on how their lives and families are going down the tubes. And it hasn't stopped him from overhyping social problems (the school system was outraged when McGraw inflated teen pregnancy stats) and airing individuals' dirty little secrets—often to the distress of their friends and neighbors. (The episode in which the high school soccer coach admitted to being a wife-beater and a Web porn–cruiser reportedly came as a particular shock to some parents.) More than a few Elginites are annoyed by McGraw's efforts, as one local put it to the Dallas press, "to save us from ourselves." In fact, a recent Web poll by the *Elgin Courier* found that around half the town would like Dr. Phil to take his salvation services elsewhere. But, to McGraw, such unenlightened grumbling will likely only serve as further proof of how much the town—and all of America, really—needs him.

Perhaps my favorite Dr. Phil guest was Heather, who wanted to know what to do about the fact that her two-and-a-half-year-old son, Connor, was having recurring nightmares in which Dr. Phil crept into his bedroom and put him "in headlocks." The adorable tot was shown on tape (blur-free), recounting the details of how he actually dreams of two Dr. Phils (*quelle horreure!*): The good Dr. Phil, who is brown and lives in a little house at the local Wal-Mart, and the bad, headlock-prone Dr. Phil, who is blue.

Since Connor's nightmares began around the time his baby sister was born, McGraw posited that the little guy feels threatened by the family newcomer. (What insight!) And since, in addition to spending so much time with the new baby, Heather spends an hour each day glued to the "Dr. Phil" show—which Connor is allowed to watch but during which he must remain appropriately quiet—McGraw ventured that Connor sees him as yet another drain on Mommy's attention. He cautioned Heather and her husband against coddling Connor (allowing him, for instance, to crawl into their bed after a nightmare) but assured them that the dreams will dissipate as Connor adjusts to his new sister.

Perfectly sound advice. Of course, the even more obvious advice would have been to ask what kind of moron lets her two-year-old watch a show that pokes and prods America's nasty underbelly graphically enough to give the average adult nightmares. To quote the good ol' boy himself, "What in the hell is this gal *thinking*?"

It's a question more of us should be asking about our national surrender to Dr. Phil. ■

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BOOKS & THE ARTS

STANLEY KAUFFMANN ON FILMS

Conquests

A FEW MONTHS AGO *We Don't Live Here Anymore* gave us two married couples exploring, with wit and pain, the conflict between most human natures and the ideal of marital fidelity. Now comes **CLOSER**, again about a quartet who again collide with convention. Adapted by Patrick Marber from a play of his, the screenplay is duplex. In the upper tier is a romantic comedy that is both neat and teasingly anti-neat: in the lower tier is a wry modern look at the sort of comic romance that is going on upstairs.

CLOSER
(Columbia)

ALEXANDER
(Warner Bros.)

London is the principal setting. Two of the quartet—the men—are English: Larry, a physician, and Dan, a journalist who writes novels. One of the women is (to judge by her accent) American—Anna, a portrait photographer resident in London. The other woman, Alice, is also American, a stripper who has more or less drifted into town. The film begins with a purposely misleading meet-cute gimmick. In a slo-mo sequence Alice and Dan give each other the eye as they encounter in the street. She, eye-locked, is knocked down by a car; Dan takes her to a hospital where her minor hurt is patched; and we feel the caress of a 1930s Cary Grant–Irene Dunne breeze. But it doesn't last long. In a few days Dan, now living with Alice, goes to Anna's studio to have his photograph taken for the jacket of his new book, and Anna's very being unsettles him.

Larry arrives in the story with more hip yet comparable cuteness. Via Internet chat he is conducting a horny conversation with—he thinks—a woman. The correspondent is, in fact, Dan, who teases Larry into a rendezvous with Anna. She, like Larry, is unaware of the set-up. Once again there is a 1930s touch, which once again is soon jolted by the modern candor of the dialogue and the candor of intent.

Thus four people are launched on their interlocking ways by lavender movie devices, but they talk and make love with an open-pore realism that mocks the coy mode in which the picture started. The finish is so asymmetrical that it, too, seems a comment on the kind of film this might once have been.

Larry and Anna marry, but in the course of things he also has sex with Alice, and her partner Dan has sex with Anna. Copulation is never long absent from the dialogue or atmosphere, but the venery is all verbal. We get a good deal of detail about the sexual encounters, but we never see them. As the plot gambols along, each character demands and gets reports on another's bedding elsewhere. The way that each one insists on what they all call the truth tells us a good deal about them.

At the end the screenplay carefully avoids old-time resolution: any sense of lessons learned and future secured. Indeed, Marber's ending could leave our formula-tinged minds a bit askew if that lower tier of the screenplay were not disruptive of formula as the film progresses. Through the timbre of the dialogue, sharp and sometimes blatant, through the amorous flexibilities of the quartet, Marber's screenplay presents a struggle for clarity in love in an age that links clarity with the conventions found in old magazines.

Marber and Mike Nichols (who directed) use some criss-crossing of time planes along the way, flashbacks enlightening the present, possibly to avoid resemblance to an adaptation of a theater piece. In general Nichols directs with his usual acuteness of ear and his eye for engaging interplay. As the salty dialogue sizzled along, I couldn't help remembering that, reviewing the Nichols film of *Who's Afraid of Virginia Woolf?* back in 1966, I noted that Elizabeth Taylor actually said "son of a bitch" on an American screen.

Nichols has cast the picture with a jeweler's precision. Jude Law, as Dan, continues to develop both talent and person: he is, in sum, effortlessly credible. Clive Owen is exactly right for Larry. Nichols clearly didn't try to match Law's good looks: Owen is attractive without being handsome and hums with masculinity. Natalie Portman does juicily enough with Alice, which is the least convincingly written role. (Oddity: according to the credits, Nichols allowed Portman to have her own dialogue coach.) Anna is played by Julia Roberts, whose presence in any film produces, among other things, a sigh of relief.

When Oliver Stone announced that he would make a film about Alexander the Great, I was keyed up. This was something to anticipate. If one of the best American directors, the maker of *Platoon* and *Nixon* and *JFK* and *Natural Born Killers*, each a marvelously daring piece of film-making, was taking on the most routine of big-budget forms, he must have a unique approach in mind. He might revolutionize the historical-epic genre.

Alas, he may have buried it. **ALEXANDER** is very long and very torpid. Instead of revitalizing or discarding the clichés of this genre, Stone never displays one iota of cinematic originality, and three hours of non-originality is a bit hard on one's behind. All through this film I kept looking for the reason that Stone wanted to make it. The only mildly novel touch is that Alexander is shown to be bisexual; but this hardly justifies all the windy rhetoric and panoramas and palace splendors and detailed battles (including one against a corps mounted on elephants). For variety we get some even-God-must-be-lonely shots of our hero on mountain tops, solitary and pensive. And out of these meditations comes Alexander's vision of a united world, in which Asia and Europe will be one—a vision that, as Peter Green wrote recent-

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ly in these pages, was added to Alexander posthumously.

The disaster of this film began before the shooting started when Stone cast Colin Farrell as Alexander. The mystery of this choice persists throughout. Farrell has no voice, no stature, no command. To think that Richard Burton once played Alexander! I don't remember Robert Rossen's 1956 picture very well, but I remember Burton's voice and address. If Stone had deliberately intended Farrell as a sort of vernacular Alexander, it might have been possible if the whole work were in that vein (like Pasolini's *Gospel According to St. Matthew*). But Stone surrounds this grubby hero with such classical actors as Anthony Hopkins and Christopher Plummer, who underscore by their quality that Farrell is a booby.

After the three hours—though it seemed longer—I was still bewildered. Stone is a unique and fiery talent. Why did he make this film? ■

Anne Applebaum

How Evil Works

THE DICTATORS:
HITLER'S GERMANY,
STALIN'S RUSSIA
By Richard Overy
(W.W. Norton, 849 pp., $35)

THE STRUCTURE IS SOMEwhat rambling, the thesis is occasionally confused, the Soviet history is weak, and in an era impatient with Heideggerisms the author can seem a little hung up on obscure concepts such as "absolute loneliness." There is certainly none of the Anglo-Saxon clarity evident in Richard Overy's work. And yet, until remarkably recently, Hannah Arendt's *The Origins of Totalitarianism*, written in 1951, was still pretty much the only book available to anyone interested in pursuing a serious comparison of Stalinist communism and German National Socialism. Arendt did not invent the word "totalitarianism"—that distinction belongs to Mussolini—but she did popularize the use of the term as a rough description of the two political systems that dominated Europe in the 1930s and 1940s. She also offered a few early insights into what they had in common.

Arendt innovatively observed, for example, that both European totalitarian regimes ruled not merely through violence, like ordinary dictatorships, but through ideology, education, and propaganda that terrorized people "from within." She noticed that the Communist parties and the National Socialist parties played similar roles within Soviet and Nazi government and culture, and that Stalin and Hitler played similar roles within their parties. She also pointed out that both regimes were obsessed with, and in some way dependent upon, the persecution of "enemies," internal and external. While such observations may now seem obvious, for some forty years that was about as far as any serious comparative analysis ever went.

I am exaggerating, of course: there were others who studied or thought about comparative evil in modernity. But the exceptions notwithstanding, it is generally true that throughout the 1960s, 1970s, and much of the 1980s, most Western scholars were reluctant to dwell too long upon it. Partly this was for practical reasons. Political scientists, always obsessed with the present, grew less interested in dissecting the concept of totalitarianism after Stalin's death. It was not very useful, analytically, to compare Hitler and Khrushchev, let alone Hitler and Jaruzelski. Historians also had trouble both with the very notion of comparison (they always do) and, more importantly, with the lopsided nature of the sources. With every passing year, more research was done on Nazi Germany, more scholarly monographs were published, more lines of investigation were pursued. Meanwhile, scholars of Soviet history, denied access to archives, were still squabbling over whether the views of exiles or the opinions of *Pravda* deserved greater weight. The tiny trickle of often speculative books about the Soviet

Anne Applebaum is the author of GULAG: A HISTORY *(Doubleday).*

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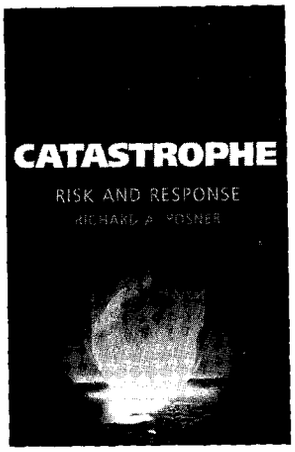

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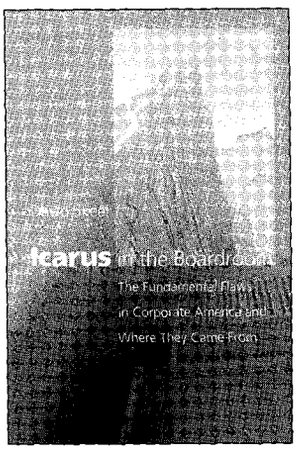

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Union could hardly compare with the flood of excellent, well-documented literature about Nazism.

Over time, some developed philosophical problems with the comparison, too. The German historian Ernst Nolte did probably the greatest damage to the subject when he made an explicit Nazi-Soviet comparison in 1986. The Soviet Gulag, he wrote, was the "logical and factual precedent for the race murder conducted by the National Socialists." The Holocaust was merely a "rational" response to the Bolshevik threat. Nolte's outburst, which led to an agonizing historical debate in Germany, had a terrible silencing effect. With few exceptions, most historians who did not want to minimize the significance of the Holocaust tended afterward to shy away from the comparison altogether.

There were also ideological reasons to keep away from the analogy. From the 1930s onward, those on the left who continued to hold up the Soviet experiment as a model studiously avoided the criticism implied by the comparison of Stalin and Hitler, largely because it cast a shadow over their own enterprise. In the 1940s, when Stalin was America's ally, even many who would not have considered themselves left-wing became equally reluctant to criticize the man who had helped us to defeat Hitler; and even now nobody likes to think that we defeated one mass murderer with the help of another. By the 1980s, the average person's answer to the question of whether the Soviet Union was or was not an "evil empire"—or at least a state that belonged vaguely in the same category as Hitler's Germany—probably depended more on his or her feelings about Ronald Reagan than on any actual knowledge of the Soviet Union and its deeds.

Only in the early 1990s, when the Soviet Union ceased to exist, did popular and scholarly attitudes toward Stalinism begin to shift. The first prominent sign of the change was surely Alan Bullock's double biography, *Hitler and Stalin: Parallel Lives*, which appeared in 1991. In his introduction, Bullock, best known as a historian of Nazi Germany, wrote that his book was inspired by his many trips to Berlin, then deep in Soviet-occupied East Germany. Flying over the Soviet zone always reminded him of the "ironical twist at the end of the war in which Hitler's view of a Nazi empire in Eastern Europe and Russia was turned inside out and replaced by the reality of a Soviet empire in Eastern Europe." The co-existence of two "revolutionary systems of power" that were irreconcilably hostile to each other and yet had so much in common seemed to Bullock the "most striking and novel feature of European history in the first half of the twentieth century."

As more documents have become available, others have also begun to find the comparison intriguing, even unavoidable. After all, these were two systems of centralized state power that existed on the same continent at the same time. Both emerged directly out of the catastrophe wrought by World War I. Both were led by dictators who ran similar one-party states and harbored similar imperial ambitions. Both used similar metaphors to describe their enemies ("weeds" and "parasites"). Both even favored similar kinds of art and architecture.

Both were also responsible for millions of deaths. But although arguments about numbers are appealing to many, this must never become a contest. There is no meaningful or useful way to compare the suffering that the victims experienced. As Richard Overy writes in the introduction to his important book, any argument about "who killed more" is an empty game: "It is a futile exercise to compare the violence and criminality of the two regimes simply in order to make them appear more like each other, or to try to discover by statistical reconstruction which was the more murderous." Yet there is something that can be learned from describing and comparing the institutions of the two systems, if the goal is the one that Arendt essentially laid out fifty years ago: to define what, exactly, we mean by "evil" political regimes, and to attempt to explain why they are so popular.

Like Bullock, Overy is a British historian who came to the subject of Hitler and Stalin sideways, through an interest in World War II. Having written a number of books about the Western Allies, he decided several years ago to write a history solely dedicated to the Russian experience of the war, a subject that had been mostly neglected in the West. Having looked at both the German and the Russian military machines and marveled at the parallels, he decided to take the project one step further.

The result is, in a sense, a rebuttal to the arguments made in the past by those who wanted to explain the fanaticism of either system as the inevitable product of its peculiar history. Prussian militarism, the power of German nationalism, and the unique virulence of German anti-Semitism have all been used to explain the appeal of Nazi ideology. Traditional peasant communes, a legacy of czarist authoritarianism, the passivity allegedly induced by the Russian Orthodox Church, and the influence of the Mongols have all been blamed for the Soviet Union. By simply looking at the historical data, however, Overy shows that straightforward cultural explanations are not enough, and that the similarities between the two regimes ran deeper than the usual clichés.

It is often said, for example, that both regimes rejected traditional religion, and offered forms of "truth" as a replacement. But by looking at what the regimes actually did and said, Overy establishes that their quasi-religious sense of certainty was not at all mystical. It was grounded, rather, in their parallel obsessions with science. "I am a fool for technology," said Hitler, whose regime at one point employed three hundred thousand engineers. "Technology in the period of reconstruction decides everything," said Stalin, who himself launched the cult of the proletarian-engineer.

This faith in science was about more than economics. Both societies also believed that science could be used to create perfect human beings, and ultimately a perfect society. In Nazi Germany, this faith in science manifested itself in an elaborate form of forced Darwinism. One of the illustrations in Overy's learned volume is a chart showing the likely offspring of two different breeds of cattle. It comes from a book on Mendelian genetics, published in Germany in 1936, which warned that cross-breeding produced genetic variation in cattle, and "brings the danger of internal disharmony" among humans too. To avoid this internal disharmony, and to ensure a powerful society, the Germans would have to eliminate impure elements. Infamously, the Nazi obsession with genetics ultimately led to mass murder, first of the mentally ill, then of the Jews, as well as Gypsies, homosexuals, and Slavs.

But the widespread belief in the efficacy of racial science also affected

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non-Jewish Germans in unexpectedly profound ways. Nazi Germany transformed the institution of marriage, for example, into another form of service to the state. Women who qualified as "good breeders" received rewards. When war reduced the supply of men, they received even higher praise for producing children out of wedlock. The Darwinian obsession also affected the German occupation of other countries. In 1940, Himmler established a "German Racial Register" in an attempt to define which other Europeans might qualify as ethnically German. Eventually the register would contain the measurements, the photographs, and the medical records of 1.5 million people, all gathered with the aim of identifying and isolating the people who had the greatest potential for Germanization, and expelling or murdering the rest.

CURIOUSLY, THE SOVIET UNION'S parallel obsession with human perfectibility began from precisely the opposite intellectual conclusion. Stalin explicitly rejected Darwinism as early as 1906, when he wrote a pamphlet arguing instead for the theories of Lamarck, who insisted that acquired human traits, even physical characteristics, could be passed down from parents to children. In the 1930s, Stalin championed the cause of the Soviet pseudo-scientist Lysenko, whose faked experiments supported Lamarck's theses. *Homo Sovieticus*, he concluded, was to be created through education and propaganda, not through breeding.

As in Germany, this doctrine subtly informed the Soviet Union's persecution of its enemies, and the daily lives of its "good" citizens as well. When Stalin first expanded the Soviet Union's concentration camps in the early 1930s, he simultaneously launched an enormous propaganda campaign trumpeting the transformative power of physical labor. Maxim Gorky himself was sent to lead a group of thirty-six writers on an expedition to the White Sea Canal, one of the first major Gulag construction projects, to document this phenomenon. They produced a breathless, excitable book, in which story after story lauded the criminals and "enemies" who had "re-forged" themselves through hard labor. In one of the book's photographs, a woman, dressed in a prison uniform, wields a drill with fierce determination. The caption sums up the theme: "In changing nature, man changes himself."

Ordinary law-abiding citizens were also objects of this mania for social transformation. Special laws made it difficult for children of intellectuals or "bourgeois capitalists" to attend universities. The revelation that your grandfather had been a merchant was enough to get you fired from a government job. In order to make sure that they did not become alienated from the working class, university students were made to spend their weekends helping the collective farmers bring in the harvest. All the Soviet rhetoric lauding the proletarian society was not simple sloganeering: it affected daily life, sometimes in fundamental ways.

The science itself was very different in Soviet and Nazi society, in other words, but its function was essentially the same. The supposed neutrality and incontrovertibility of scientific doctrine gave both regimes a good part of their intellectual legitimacy. Science, or rather pseudo-science, gave people a moral justification for behavior that had formerly been unthinkable. German concentration-camp guards, convinced that their Jewish prisoners were biologically inferior humans, had few qualms about murdering them. Soviet concentration-camp guards, convinced that their political prisoners were flawed humans who had to be re-educated through hard labor, saw nothing wrong with mistreating them, even if they died in the process.

OVERY'S DOUBLE HISTORY covers more than ideology, of course. Over the course of the book, he also discusses the political structures of the Soviet Union and Nazi Germany, their economic systems, their armies, and their cultural establishments. Yet in the end, as in his treatment of science, he keeps coming back to ideology, and to the mysterious question of how ideology convinced so many people in Nazi Germany and the Soviet Union to collaborate with what would traditionally have been considered amoral regimes. Some people, probably most, cooperated because they were afraid. But others collaborated even when they were under no pressure to do so.

From the standpoint of our own time, their participation is hard to understand. The crudity of Hitler's genetics, the patent falsity of Lysenko's experiments, their visions of "world domination"—all seem ludicrous in hindsight. Recordings of Hitler's speeches make him appear laughable, hysterical, absurd. Looked at now, Stalin's kitsch propaganda films seem like parodies. Yet it is clear from archives, from memoirs, from recollections, that very few people were laughing at the time. The propaganda, the education, the parades, the spectacles, the falsified history, the marble statues, the Socialist Realist novels: they worked.

Significant numbers of Germans really did believe that the elimination of the Jews would bring about utopia, that the world would be a better place when Germany ran it, and that it was right to use Slavic *Untermenschen* as slave laborers. Plenty of Soviet citizens believed that central planning, collectivized agriculture, and the re-education of the bourgeoisie would bring about utopia in Russia. If things were not going well, they placed the blame squarely on bourgeois saboteurs or foreign agents. If people were unfairly arrested—well, there was the saw about the omelette and the broken eggs. As Overy puts it, "The dictatorships cannot be understood only as systems of political oppression," since so many of those who participated in them did so willingly. The hatred and the intensity of the German-Soviet war was itself a product of the fanaticism that both leaders inspired.

SINCE CULTURAL EXPLANATIONS do not quite suffice, it is tempting to trace this strange fanaticism to the particular, unusual circumstances that arose in the first half of the twentieth century, and many scholars and commentators have done so. Both Stalinism and Nazism arose, after all, in the wake of collapsed monarchies, in a period of religious doubt, and at a time when modern capitalism was beginning to reshape the global economy and to alter traditional social hierarchies. Both set themselves up in direct opposition to the bourgeois liberal societies of Europe and North America, which were seen to have failed, spiritually and economically. François Furet pointed out that while both fascism and communism have earlier antecedents—the nostalgia for the more organic societies of the past and the belief in a socialist society of the future have long nineteenth-century intellectual histories—the disruption and the chaos of World War I led to the "extreme radicalization" of both ideas.

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Yet when reading Overy's work, and particularly its straightforward description of the institutions of the two regimes, there are so many echoes of other eras and other regimes—even contemporary regimes—that it is impossible not to wonder whether this really was such a unique moment after all. Overy describes, for example, one of the more notorious phenomena of totalitarianism: the thousands of letters that ordinary Germans and Russians sent to their governments, denouncing their neighbors and co-workers for co-habiting with Jews or telling jokes about Stalin. In January 1940, one letter to the local Nazi party office in Eisenach demanded to know "why the Jew Fröhlich ... is still able to share a six-to-seven room apartment," when so many non-Jews were cramped into smaller spaces. Russian archives document the case of a Gulag prisoner who wrote more than three hundred letters of denunciation even after he had been sentenced.

The notion of a society that made millions of its citizens into informers may seem inimical to us. But was it historically unique? Here is Kanan Makiya describing Iraqi society under the former Baathist regime in his book *The Republic of Fear*:

> Writing various reports is an important activity of party members. The most coveted tell on friends and colleagues.... For the most part, they are routine gossip sheets tailored to what the next man up wants to read. Still, they form the essential backbone in a system designed to suppress storytelling through the elevation of lies, hypocrisy, innuendo, malicious slander, and betrayal. For the system to work the truth value of a report is irrelevant.

The echoes of the 1930s are not lost on Makiya, who explains both that "Stalinism is the 'original' Third Worldism that Baathism ... sought to emulate" and that the Baathist notion of leadership was close "in spirit" to the Nazi theory of political authority as well.

But Iraq is not special either. Overy also mentions one of the more absurd aspects of Soviet society, namely the insistence that prisoners in camps, who were often working themselves to death, should listen quietly to the same kinds of propaganda imposed on ordinary citizens. "The Soviet government does not punish, it reforms" was a classic slogan; a famous sign over the entrance to one of the Vorkuta camps read "Work in the USSR Is a Matter of Honor and Glory." Germany's labor camps—as opposed to its death camps—also exhorted prisoners to work on behalf of the Fatherland; the sign over the entrance to Auschwitz read "Work Makes You Free." This impulse to make your enemies celebrate their own repression also has contemporary echoes, as the recent testimony of a North Korean defector, a former camp inmate, illustrates: "The prisoners are instructed to memorize 15 officially designated songs praising Kim Jong Il and sing the songs on the way to work, and while working. They are beaten if they do not sing loud enough and a brief pause in singing is taken as an indication of political discontent. The prisoners must sing the songs as loudly as possible even though they are usually very tired."

It was not Overy's intention to write a work of moral philosophy, and that is part of his book's power: this is a history, not a treatise on human nature. It treats political and cultural institutions, not ethical questions. Yet the straightforward, matter-of-fact manner in which Overy lays out the structure of two spectacularly horrifying systems cannot help but lead a reader back to questions about human nature and human evil. Over and over again, regimes that claim to have found a formula for truth, regimes that create ostensibly united communities that demonize or murder outsiders, have achieved enormous popularity. Every historian who tries to explain how this happens expands our knowledge of why it happens. This, in the end, is the real value of the Nazi-Soviet comparison, and the real value of this book. It looks ahead as much as it looks back. ■

Cass R. Sunstein

The Rehnquist Revolution

A COURT DIVIDED:
THE REHNQUIST COURT AND THE FUTURE OF CONSTITUTIONAL LAW
By Mark Tushnet
(W. W. Norton, 384 pp., $27.95)

LEARNED HAND, AN INFLUential federal judge from New York, used to be famous for saying, in the middle of World War II, that "the spirit of liberty is the spirit which is not too sure that it is right." Hand practiced what he preached. A leading apostle of judicial restraint, Hand was reluctant to strike down the decisions of state and federal governments. Sharply critical of the liberal Warren Court, which he thought unduly activist, Hand was a conservative icon, simply because he believed that judges should give the benefit of every doubt to the elected branches of government.

The Supreme Court has long been firmly under conservative control, but it has not been following Learned Hand. Consider a simple fact. In its first seventy-five years, the Supreme Court struck down only two acts of Congress. In the eighteen years since Ronald Reagan nominated William H. Rehnquist as chief justice, the Court has invalidated more than three dozen. Under Rehnquist, the Court has compiled a record of judicial activism that is, in some ways, without parallel in the nation's history. Its most controversial majority opinions have usually been produced by its two moderate conservatives, Sandra Day O'Connor and Anthony Kennedy, and its three more extreme conservatives, Rehnquist, Antonin Scalia, and Clarence Thomas.

Rehnquist is now extremely ill, and it is widely rumored that he will be leaving the Supreme Court soon. An unfailingly gracious and generous man, Rehnquist must be counted as one of the giants of American law, because he has presided over and greatly contributed to a Supreme Court that has radically revised previous understandings of the Constitution. Since joining the Court as associate justice in 1971, Rehnquist

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has had a clear agenda for constitutional interpretation: to renew limits on Congress's power under the commerce clause, to increase the protection of private property, to strike down affirmative action programs, to scale back the use of the Constitution to protect those accused of crime, to reduce the protection of privacy, to stop the use of the equal protection clause to assist members of disadvantaged groups (disabled people, the elderly, illegitimate children, women), and much more. The Rehnquist Court has not always acted in accordance with the views of William Rehnquist, but it has moved dramatically in his preferred directions. What complicates the picture is that O'Connor and Kennedy have frequently insisted on caution. In some cases, the result has been to lead the Rehnquist Court to respect for precedent, to restraint, and to a modest but unmistakable degree of continuity with the rights-protecting decisions of the Warren Court.

In Mark Tushnet's account, the division between the two sets of conservatives on the Court corresponds to a deeper division, one that has played a large role in modern American politics. O'Connor and Kennedy represent the older and more traditional wing of the Republican Party, and Scalia, Thomas, and Rehnquist represent the modern Republican Party as it has been transformed by Barry Goldwater and Ronald Reagan. The latter side of the party is far more radical, for it rejects "the principles that animated our government from the New Deal through the Great Society." Tushnet thinks that we have an emphatically Republican Supreme Court whose majority is split between the party's two wings.

In his view, the old Republicans on the Supreme Court have worked with the new ones to produce significant constitutional change, above all by limiting the power of the national government. But the new Republicans, including the chief justice, have been abandoned by the older ones on the social issues: thus the Court has refused to move in radically conservative directions on such issues as abortion, affirmative action, gay rights, and the separation of church and state. Tushnet's conclusion is that "the Court's economic conservatives won and its cultural conservatives lost." And the reason is that in politics, too, economic conservatives have been winning and cultural conservatives have been losing. The outcomes on the Rehnquist Court reproduce the outcomes in the American political process.

The bulk of Tushnet's discussion is divided into two parts, the first exploring individual members of the Rehnquist Court, the second focusing on particular areas of constitutional law. He offers a detailed treatment of Kennedy, stressing an underappreciated fact: this Reagan appointee wrote both of the Rehnquist Court's key decisions protecting gay rights. The first, in 1996, struck down a weird Colorado amendment to the state constitution, forbidding states and localities to protect gays and lesbians against discrimination. The second, in 2003, invalidated a ban on homosexual sodomy (and heterosexual sodomy, too).

In both cases, Kennedy wrote in bold and ambitious terms, describing a constitution whose meaning changes over time. He began his opinion in the Colorado case in this way: "One century ago, the first Justice Harlan admonished this Court that the Constitution 'neither knows nor tolerates classes among citizens.' Unheeded then, those words are now understood to create a commitment to the law's neutrality where the rights of persons are at stake." In the Texas case, he insisted that "liberty gives substantial protection to adult persons in deciding how to conduct their private lives in matters relating to sex.... As the Constitution endures, persons in every generation can invoke its principles in their own search for greater freedom." Tushnet criticizes Kennedy for what he sees as a streak of pomposity, and he is unable to explain Kennedy's interest in gay rights; but he sees Kennedy as an old-style Republican, with a strong libertarian streak and a willingness to make changes in the law in accordance with evolving social values.

Tushnet depicts Scalia as a fundamentally different judge, committed to the view that the Constitution is solid and unchanging, and to a belief that those who disagree with him are essentially lawless—and dumb, and maybe dishonest. As Tushnet acknowledges, Scalia's principal contribution to the Court (and it is an important one) has been an insistence on the need for clear rules laid down in advance. Hence Scalia is skeptical of the time-honored idea, emphasized above all by O'Connor, that judges should decide one case at a time; he believes that an approach of this kind makes the law unpredictable and increases the discretion of unelected judges. Scalia's commitment to rules is linked to his belief in "originalism," the view that the Constitution should be interpreted in accordance with the original understanding of those who ratified it. (Here Scalia differs from Rehnquist, who pays much attention to history but has not endorsed originalism as a creed.) Tushnet adds that some of Scalia's surprising votes in free-speech cases have a great deal to do with his enthusiasm for rule-bound law: he provided a key vote, for example, in two majority opinions protecting flag-burning. Tushnet argues that Scalia feared the dissenters' approach would breed confusion and uncertainty in the law.

In fact, Scalia has been generally a strong advocate of free speech, in part because he believes that judges would be unable to administer a system that carves out vague exceptions from the free-speech guarantee. But Tushnet does not mean to celebrate Scalia, whom he describes as arrogant and far too sure that he is right. In Tushnet's view, Scalia "isn't as smart as he thinks he is." He believes that Scalia's inflated sense of his own abilities has been reinforced by the "vocal admiration that Scalia received from conservative legal activists." Tushnet also believes that Scalia's much-praised writing is just "the sound-bite style of *Crossfire*, highly quotable, reducing complex issues to simple—and often misleading—phrases," in which he treats those who disagree with him as "stupid" or as "liars." The more general point is that unlike Kennedy and O'Connor, Scalia has a clear agenda, seeking large-scale changes in constitutional law that cut across both economic and social issues.

Clarence Thomas has a similar agenda, and he certainly rejects the view that the Constitution allows affirmative action and protects abortion and gay rights; but Tushnet argues that Thomas is no Scalia clone, and indeed Tushnet seems to admire him. No less than Scalia, Thomas insists that the Constitution should be interpreted to fit with the original understanding of those who ratified it. But much more than Scalia,

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Thomas is willing to reject longstanding precedent in order to reclaim that original understanding. In a controversial opinion in 1992, for example, Thomas wrote that severe beatings of prisoners by their guards do not offend the cruel and unusual punishment clause, which was not originally understood to question "any hardship that might befall a prisoner during incarceration." Thomas went much further in 2004, invoking the original understanding to make the radical (though historically plausible) suggestion that the establishment clause—the constitutional source of the separation of church and state—does not apply to the states at all.

With respect to racial discrimination, Thomas has been a particularly distinctive voice, challenging what he sees as "racial paternalism." Where Scalia appears to see affirmative action as a form of social engineering, Thomas contends that it reflects condescension and pity and is ultimately incompatible with equality itself. Thomas insists that affirmative action programs "will help fulfill the bigot's prophecy about black underperformance." At various times in his life, Thomas has been said to have admired Ayn Rand, Ronald Reagan, Richard Wright, and Malcolm X; and it is a unifying theme for these diverse figures that they favored self-help and abhorred pity. Thomas's skepticism about what he calls a "patronizing indulgence" from the state marks much of his writing and makes his voice genuinely unique.

TUSHNET DEVOTES A FULL chapter to only one member of the Rehnquist Court who cannot be characterized as conservative: Ruth Bader Ginsburg. He focuses on her successful effort to interpret the Constitution's equal protection clause to forbid official discrimination on the basis of sex. As Tushnet notes, much of Ginsburg's career, before she moved to the bench, was devoted to the claim that sex discrimination, like racial discrimination, is often motivated by prejudice—and should be struck down unless government can justify it in neutral terms. As a lawyer, Ginsburg accomplished a great deal to move the law in this direction. As a Supreme Court justice, she wrote the majority opinion in the Rehnquist Court's most important sex-discrimination case, involving the Virginia Military Institute (VMI). There the Court struck down the exclusion of women from VMI notwithstanding the claim that women could not handle its "adversative method," which involves a great deal of physical and psychological hazing. The Court acknowledged that if women were admitted, VMI would have to alter some features of the adversative system, but it rejected, on the basis of history, the claim that the slightly modified system would be unsuitable for women.

With this ruling, Ginsburg moved constitutional law very close to treating sex discrimination with the same hostility applied to racial discrimination. And O'Connor and Kennedy joined Ginsburg's opinion. Tushnet's most general point is that the Court's opinion was a reflection of "changing social values about the role of women." He writes, somewhat sardonically, that the Rehnquist Court "was entirely unified about women's issues appealing to suburban women."

TUSHNET DESCRIBES A COURT that has followed the extreme conservatives on some important issues. Under Rehnquist's leadership, the constitutional law of federalism has seen a kind of revolution. Between 1937 and 1995, the Court did exceedingly little to limit the power of the national government, failing to issue even a single ruling to the effect that Congress had exceeded its authority under the commerce clause. By contrast, the Rehnquist Court has re-invigorated limitations on congressional power, striking down provisions of both the Gun-Free School Zones Act and the Violence Against Women Act. For many decades, the Court ruled that Congress had a great deal of flexibility to protect liberty and equality under its power to "enforce" the Fourteenth Amendment. Sharply limiting these rulings, the Rehnquist Court has struck down the Religious Freedom Restoration Act and parts of the Americans With Disabilities Act and the Age Discrimination in Employment Act. Tushnet thinks that these decisions reflect "disdain for Congress."

Under the Rehnquist Court, as Tushnet explains, U.S. corporations have had many significant successes. Countless companies have been alarmed at the prospect of high punitive-damage awards, and indeed jury awards can be both huge and unpredictable. Does the Constitution stand in the way of such awards? For almost all of the nation's history, the answer was no; juries could award punitive damages without the slightest constitutional restriction. But under the Rehnquist Court, all this has changed. In two crucial decisions, the Court has required that the punitive award have some relationship to the monetary value of the harm that was done. This requirement imposes a real discipline on what juries may do.

As Tushnet reports, some of the most dramatic corporate victories have occurred in the domain of speech. The First Amendment used to be about "rebels and rabble-rousers"; under the Rehnquist Court, it is far more often about money and marketing. In 1976, the Burger Court ruled, for the first time, that commercial advertising is protected by the First Amendment. This was a tentative development, but the Rehnquist Court has massively expanded the protection given to commercial advertisers. Here Thomas has been especially aggressive, arguing that the Court should invalidate any regulation based on the paternalistic (and condescending) idea that consumers cannot decide for themselves. Indeed, Thomas has argued that commercial advertising should receive the same level of protection as political speech. Other members of the Rehnquist Court have shown at least some sympathy for this position, going so far as to invalidate efforts to regulate tobacco advertising.

Many conservative activists have wanted the Supreme Court to expand greatly the reach of the constitutional clause requiring government to protect "just compensation" for any "takings" of private property. In particular, they have wanted the Court to require government to pay compensation when environmental regulations diminish the value of private property. Under the leadership of Rehnquist, Scalia, and Thomas, the Rehnquist Court has made some movement in their direction—but O'Connor and Kennedy have ensured that the movement has been modest. In Tushnet's summary, the "Rehnquist Court didn't force governments to pay substantially for any modern environmental, wetlands, or historic preservation regulations—if the governments proceeded carefully enough." But after the Court's pro-property decisions, "business and developers can credibly threaten to tie regulation up in court with takings clause challenges unless the regulations are to their liking."

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With respect to social issues, Tushnet contends that the Court, led by O'Connor and Kennedy, has been quite cautious. Here Rehnquist, Scalia, and Thomas have often been thwarted; and here Rehnquist's personal agenda has been partially stalled. True, the Court has narrowly confined affirmative action programs, but it has not eliminated them entirely. In the area of abortion, it has cut back on *Roe* v. *Wade*, allowing some regulations that previous decisions forbade; but the Court has refused to reject the fundamental right to choose. The religious right has certainly scored a number of victories before the Rehnquist Court—above all, perhaps, in the Court's decision upholding a system of vouchers in education. The Court has also moved away from the idea of a strict separation of church and state, tending to require instead a form of "neutrality" that will permit government to aid religious institutions so long as it is aiding secular ones as well. But there has been no sea change as yet. (Recall Thomas's suggestion that the establishment clause does not even apply to the states—a suggestion that would make a revolution in the law.)

The Court's conservatism has been more conspicuous in criminal cases, in which the Court has been reluctant to limit police discretion, even when that discretion might well be exercised in racially discriminatory ways. Here, too, Rehnquist has often led the way: he has long sought to scale back Warren Court decisions using the Constitution to protect criminal defendants. Tushnet argues that the Court has "licensed racist police officers to act on their impulses, leaving victims with legal remedies that were available in theory but unavailable in practice." But for most of the social issues, Kennedy and O'Connor have been more moderate than Scalia, Thomas, and Rehnquist; and as a result, the Court has been more moderate as well.

TUSHNET CONCLUDES WITH A big question: what is likely to happen in the future? In his view, a Democratic president would not appoint liberal activists like Earl Warren, William Brennan, and Thurgood Marshall. Any Democratic appointees would likely continue the O'Connor-Kennedy approach on social issues while rejecting the Rehnquist Court's activism on economic issues. By contrast, moderate Republican appointees would continue to scale back Congress's power, perhaps by invalidating the Endangered Species Act; they would also be more willing to find that environmental regulations violate private-property rights. Conservative Republican appointees would go much further. They might overrule *Roe* v. *Wade*; they would certainly be unwilling to use the Constitution to protect gays and lesbians from discrimination. They might even strike down laws forbidding discrimination as beyond Congress's power or as interfering with freedom of association. Tushnet believes that these are unlikely scenarios, not least because the confirmation process tends to ensure a measure of moderation. Tushnet's more general point is that the political process is central to movements in constitutional developments—partly because of the process of appointment and confirmation, and partly because the Court is inevitably influenced, at least some of the time, by public opinion.

Tushnet is right to insist that legal arguments by the justices often grow out of political commitments, and from

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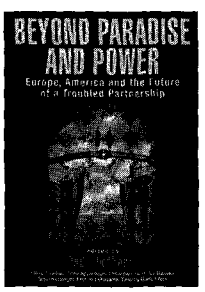

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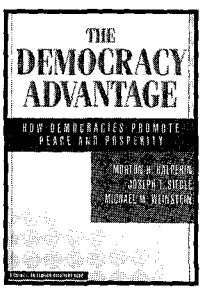

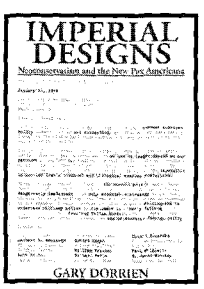

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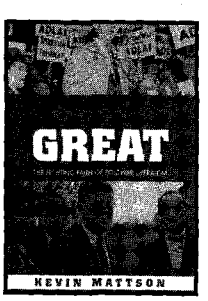

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that standpoint he offers a number of shrewd insights about the justices and the law. Ronald Reagan was able to transform the Supreme Court in important ways, above all by appointing Scalia and by elevating Rehnquist to chief justice, but also by appointing O'Connor and Kennedy, two justices with little enthusiasm for the rights-protecting innovations associated with liberal activists such as Warren, Brennan, Marshall, and William Douglas. Republican presidents may not have gotten everything that they desired, but they succeeded in dramatically changing the law, simply because the constitutional understandings of their appointees tended toward the right.

Of course Tushnet is correct to reject the view—ludicrous but widespread in conservative circles—that the Rehnquist Court, or at least Scalia and Thomas, is speaking neutrally for "the law." The conservatism of the Rehnquist Court is a product of a self-conscious and highly politicized re-engineering of the federal judiciary brought about by conservatives in the White House and Congress. Tushnet is also right to insist that all the current justices are at least occasional activists, willing and able—some of the time—to use judicial power to invalidate practices that do not obviously violate the Constitution.

Unfortunately, Tushnet does not adequately defend his central claim, which is that the division on the Rehnquist Court reflects a split between old and new Republicans. I believe that the split lies elsewhere. Tushnet thinks that the traditional Republicans favor less economic regulation without being social conservatives, whereas the new Republicans are conservative on both economic and social issues. But it is not easy to show that affirmative action, abortion, and gay rights were favored by some older generation of Republicans. Many of the current divisions in the Republican Party involve a split between the libertarians, who favor free markets and also privacy rights of various sorts, and the more powerful Reaganites, who favor free markets but also have sympathy with the religious right and hence distrust privacy rights. O'Connor and Kennedy have some libertarian inclinations, but they are hardly libertarians. In any case, many contemporary Republicans are moderate on both economic and social issues (Christine Whitman, Rudolph Giuliani, George Pataki). In short, it is not easy to map divisions in the Republican Party onto the Rehnquist Court.

MY OWN VIEW IS THAT the real divisions in the Rehnquist Court involve two radically different approaches to constitutional law. In a nutshell: O'Connor and Kennedy are incrementalists, reluctant to make large-scale changes in existing understandings of the law. Scalia, Thomas, and (to a lesser extent) Rehnquist are legal fundamentalists, or "movement judges," eager to insist on the supremacy of their own view of the Constitution, whatever the precedents say.

Most of the time, O'Connor and Kennedy are certainly conservatives. But they tend to decide cases one at a time. They respect precedent, even when they disagree with it. They do not want to revolutionize the law by reference to first principles. They also show some interest in public opinion, or in what Kennedy has called "evolving social values." Apparently they believe that the Constitution's meaning changes over time; and they think that evolving values play a legitimate role in the interpretive process. Hence, perhaps, their willingness to invalidate laws that interfere with sexual privacy and that discriminate against women. In all these ways, O'Connor and Kennedy are quintessential common-law judges, distrustful of general theories and broad rules, and willing to adjust the law to new conditions and emerging principles.

Scalia and Thomas are altogether different. (Rehnquist is generally with them, but he is somewhat more cautious. In his early days on the Court, he was a bit of a firebrand, carrying out the role now associated with Scalia; but as chief justice he has seemed more moderate, perhaps because of the requirements of his new role, perhaps because the Court as a whole has moved far to the right, and thus has often joined him.) Scalia and Thomas are radicals, seeking to make large-scale changes in constitutional law. They are angry about existing law in a way that O'Connor and Kennedy are not. As Tushnet emphasizes, their organizing theme is "originalism"; they believe that the Constitution should be interpreted to reflect the original understanding of those who ratified it. Originalism enjoys a lot of appeal among many people, but it is also vulnerable to serious objections. As an approach to constitutional interpretation, it must be defended, not simply asserted. Taken seriously, it would seem to lead to consequences that everyone, including Scalia and Thomas, would reject: permitting racial segregation by the national government and probably by the states, allowing sex discrimination, and authorizing a great deal of censorship as well.

Scalia and Thomas do not follow the logic of originalism wherever it leads. Most disturbing of all, they seem least interested in the original understanding when it runs counter to their moral and political convictions. For example, a great deal of historical work suggests that, as originally understood, no provision of the Constitution bans affirmative action programs. Yet Scalia and Thomas have repeatedly declared that the Constitution forbids such programs—and they have not so much as bothered to investigate the original understanding. So, too, a great deal of historical work suggests that under the original understanding, the constitutional protection against "takings" of private property did not require government to pay compensation when regulations merely diminish the value of property. But without even a glance at history, Scalia and Thomas have voted to require government to pay compensation when regulations diminish the value of property. In these (and other) cases, the constitutional understandings of Scalia and Thomas seem uncomfortably close not to the original understanding of the Constitution but to the ideology of the right wing of the Republican Party.

WHAT TUSHNET DOES NOT emphasize is that the most aggressive decisions of the Rehnquist Court reflect a truly radical change in conservative legal thinking since the 1970s and early 1980s. In that period, the Warren Court was a principal target of conservatives, and many conservatives sought to challenge aggressive judicial interventions into democratic processes, above all *Miranda* v. *Arizona* and *Roe* v. *Wade*. Conservatives claimed that federal judges should give greater respect to the decisions of elected officials; and they offered strong, principled arguments on behalf of that claim.

In a short time, however, things have changed dramatically. For many admirers of Scalia and Thomas, the real target now is Franklin Delano Roosevelt, not

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Earl Warren. There is increasing talk of restoring what is being called the Constitution in Exile—the Constitution as of 1932, Herbert Hoover's Constitution, before Roosevelt's New Deal. This was a period in which the Supreme Court's understanding of the Constitution, obviously rooted in the justices' political convictions, jeopardized maximum-hour legislation, minimum-wage legislation, the National Labor Relations Act, the Fair Labor Standards Act, and the Social Security Act—and would certainly have forbidden the Civil Rights Act of 1964, the Americans With Disabilities Act, and the Age Discrimination in Employment Act. This was also a period in which racial segregation was constitutionally fine, and in which it would have been ludicrous to say that the Constitution banned sex discrimination or protected a right to sexual and reproductive privacy.

The Bush administration does not lack sympathy for the Constitution in Exile, and President Bush has nominated judges who appear to believe that it should be restored. Conservatives speak of "strict construction," but most of them do not practice it. Few are willing to argue that judges should stay out of the democratic arena. *Bush* v. *Gore* was a far more radical intervention into political processes than anything dared by the Warren Court, and it is celebrated rather than reviled. And *Bush* v. *Gore* is merely the most visible of a long line of cases in which the Rehnquist Court has seized on ambiguous constitutional provisions to invalidate decisions of Congress and state governments.

Even in its aggressive moments, the Rehnquist Court has not suggested that the Constitution was properly understood by the Supreme Court in 1932. But in limiting national authority to protect disadvantaged groups and in protecting property rights, it has shown unmistakable sympathy for the pre–New Deal Constitution. This is a political program in legal dress. The harsh irony is that the program has been advanced especially aggressively by those members of the Rehnquist Court who contend, and even appear to believe, that they are speaking neutrally for the Constitution. ■

Robert Alter

Past Imperfect

A TALE OF LOVE AND DARKNESS: A MEMOIR
By Amos Oz
Translated by Nicholas de Lange
(Harcourt, 538 pp., $26)

THE TITLE THAT AMOS OZ has chosen for this remarkable book—in many ways the best book that he has ever written—stresses storytelling and theme and mood, with no hint that it is an autobiography. In her review of the original Hebrew publication two years ago, Nitza Ben-Dov, one of his most perceptive Israeli critics, actually referred to the book as a novel. This is a bit misleading, but it is not entirely a mistake, for Oz's narrative of his Jerusalem childhood in the 1940s is not only an imaginative reconstruction (like all autobiographies), it also calls on all his resources as a novelist for an extraordinary evocation of place, person, and period. The variety of episodes and the range of feelings are wider than those of any of his novels—touching, haunting, wrenching, amusing, and sometimes downright hilarious.

Oz was born in 1939, the only child of Yehuda Aryeh and Fania Klausner. His father, who had come to Palestine from Odessa, was the scion of a family of right-wing Zionists, the most prominent of whom was Joseph Klausner, the first professor of modern Hebrew literature at Hebrew University. Oz's lengthy portrait of Uncle Joseph (in fact his great-uncle) is the most brilliant in a whole gallery of memorable portraits, and it exemplifies one of the notable virtues of this wonderful book: its ability to exercise sharp satiric vision and yet maintain a degree of compassionate understanding. By Oz's account, Joseph Klausner was a monster of egotism, his home arranged as a temple to his achievements, in which he tirelessly lectured family and friends on the profundity of his intellectual breakthroughs (nowadays not much esteemed), the scurrility of the Zionist-socialist leadership, the imbecility of the academic world for not sufficiently recognizing his greatness. With all this, Oz is able to conclude, "He was at once a kind man, and a selfish, spoilt one, with the sweetness of a baby and the arrogance of a *Wunderkind*."

This same balancing of judgment and understanding is repeatedly put into play in Oz's characterization of his father. Yehuda Aryeh Klausner was a well-meaning person but also a mediocrity, and just once Oz permits himself to use this word. Like Uncle Joseph, his father knew seventeen or eighteen languages and was a walking encyclopedia. His dream was to follow in his uncle's footsteps at Hebrew University, but he spent his whole professional life as a librarian, earning a doctorate in late middle age by editing an obscure Hebrew manuscript by Y. L. Peretz, and never receiving a hand up the academic ladder from Uncle Joseph, who feared the imputation of nepotism and, even more, the prospect of a nephew who would not measure up to what he perceived to be his own lofty stature.

Even more painfully, Oz's father was, for all his good intentions, a failure in the realm of emotions and relationships. A blandly programmatic rationalist, he would never talk about feelings, found his wife's turbulent inner world beyond his ken, and had a grating habit of inserting bad puns or little lectures on etymology where real conversation was needed. He was disposed to address his son with polite sarcasm as "His Highness." One of his few sustained attempts to bond with the boy, the planting of a vegetable garden in their rocky backyard in proper Zionist fashion, ended in a misery of withering and weeds. When his wife committed suicide in 1952 at the age of thirty-eight, he could not bring himself to exchange a single word about her or her death with their twelve-year-old son.

Two years later the boy moved out: "And so at the age of fourteen and a half ... I killed my father and the whole of Jerusalem, changed my name, and went on my own to Kibbutz Hulda to

Robert Alter's most recent book, THE FIVE BOOKS OF MOSES: A TRANSLATION WITH COMMENTARY, *was published this fall by Norton.*

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live there over the ruins." To become Oz (which means "strength") instead of Klausner was, of course, a repudiation of the father, as was his move from the militant right to the socialist left; but in the fullness of imagination of this book, the father, though represented in all his pathetic limitations and abrasive tics, is not in the end repudiated, but understood as a man who struggled all his life with the unbridgeable gap between his self-conception and the humbling realities of his marital and professional identity. There is sadness in his son's portrait of him, but there is no anger.

READERS OF OZ'S FICTION have known all about the marriage of Yehuda Aryeh and Fania Klausner since the 1960s. As far back as *My Michael* (1969), it recurs in a variety of fictional transformations: the plodding, good-spirited, emotionally shallow, rationalist husband and the troubled, passionate, unstable wife. Fania Klausner's suicide, too, appears in sundry camouflages, as Hebrew readers, who knew about it from the busy Israeli rumor mill, were long aware: in *My Michael*, it figures in Hannah Gonen's psychotic fugues as well as in her erotic fantasies about the Arab twins she knew as a girl who have become terrorists; and in the striking novella "The Hill of Evil Counsel" (1976), it turns into the elopement of the child-narrator's mother with a lecherous British admiral to the fabled lands of the East.

But if Oz was writing all along through fictional invention about the disappearance of the mother and the child's sense of having been betrayed by her, he never mentioned it directly, in his books or elsewhere: "I have hardly ever spoken about my mother till now, till I came to write these pages. Not with my father, or my wife, or my children or anybody else. After my father died I hardly spoke about him either. As if I were a foundling." The impelling motive, then, of *A Tale of Love and Darkness* is finally to confront through an act of imagination the mother who took her own life with an overdose of pills in her sister's Tel Aviv apartment on a January night in 1952.

Anticipatory references to the suicide are scattered through the book in a pattern of incremental repetition, and the book concludes with a full-scale reconstruction of the mother's last hours on earth. That, at any rate, is the "darkness" of the title. Its "love" is above all the child's deep love for the mother who would in the end abandon him after the intoxication with the magic of words she passed on to him along with her brooding Polish Romanticism, the weird and haunting world of dark forests, looming castles, ogres, and witches into which she drew him through the strange stories she told him.

THIS BOOK IS BOTH RICHLY panoramic and intensely personal. On the panoramic side, it offers the most alluring excavations into the parents' familial and cultural origins in Europe (Fania came from Ukrainian Rovno, part of Poland after World War I, where she attended a Hebrew-language Tarbut school), and it also abounds in the most touching and often funny accounts of family eccentrics on both sides, and of the crotchety or extravagant characters who populated Jerusalem in the last years of the Mandate. On the personal side, this is not only the story of the dense and highly charged Klausner home—in the opening paragraphs of the book it is represented metaphorically as a prison—but also a portrait of the artist as a young boy.

Oz's love for his tragic mother is above all manifested in his becoming her true heir by embracing his vocation as a writer. At one point, very briefly, he spells this out: "I have the feeling that my mother wanted me to grow up to express the things that she had been unable to express." The unbearable fact of her suicide—one senses that it remains unbearable for Oz to this day—entails the imposition of the legacy of her inner life on her son. With this crucial difference: she, a lyric poet *manquée*, surrendered herself to mists and enchantments; he, a novelist, feels the allure of haunted spirits and exotic realms, but is also deeply engaged in the external world of gritty material realities and historically specific presences.

Describing his Jerusalem home in the waning hours of the Mandate, Oz writes that "we were surrounded on all sides by mountains, caves and deserts, the British, the Arabs and the Underground fighters, salvoes of machine-gun fire in the night, explosions, ambushes, house-to-house searches, stifled dread of what still awaited us in the days to come." But the books that he and his mother read were a lifeline to what he calls "the real world." Here is his evocation of it (in Nicholas de Lange's splendid translation): "In the real world there were the lake and the forest, the cottage, the field and the meadow, and also the palace with its turrets, cornices and gables. There the foyer, embellished with gold, velvet and crystal, was lit by chandeliers with a mass of lights like the seven heavens."

As even such a brief passage may suggest, Oz is deeply alive to his experience as a child, in a way that perhaps few people besides writers and artists are. The wealth of childhood anecdotes that he offers, from the trivial to the traumatic, is consistently absorbing, because everything is remembered, recounted, re-invented, with the vividness of immediately felt experience: his parents' moralizing insistence that he finish up everything on his plate because of all the poor starving children in India (his unspoken response is an envy of the Indian children because they have nothing on their plate to finish); his desire to become not a writer but a book, because writers could be killed but books seemed to survive; the terror of being lost behind a clothes rack in the back area of a women's clothing store to which his babysitter had brought him; the burning shame of a spectacular accident that he triggered during a visit to the home of a wealthy Arab in the company of friends of his parents.

ALTHOUGH THE HEBREW LANGUAGE has no present perfect tense (actions that are still uncompleted are generally indicated with adverbial signals), much of the emotional power of this book can be explained through its being written in what is a virtual present perfect: it all happened half a century ago, but as far as the writer is concerned it is not over yet. Admittedly, Oz is quite aware that memory is a tricky business and that he may be inventing or working with stored-up fictionalizations or misrepresentations of what really happened: "living memory, like ripples in water or the nervous quivering of a gazelle's skin in the moment before it takes flight, comes suddenly and trembles in a single instant in several rhythms or various focuses, before being frozen and immobilized into the memory of a memory." And yet, in the virtual present perfect of his narrative, he manages to maintain a fiction or the persuasive illusion of an absolutely compelling continuity between then and now, be-

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tween the small child and the mature novelist. The continuity is felt above all in his feelings about his parents.

In one painful episode, the eleven-year-old Amos, playing hooky with a schoolmate, gets a glimpse of his father through the window of a café in downtown Jerusalem laughing and kissing a young woman's hand. (By this point the severely depressed Fania was unavailable to her husband emotionally and sexually, and he seems to have gone off on romantic excursions with her tacit, apathetic consent.) The boy is horror-struck: "I ran away from there, I ran away from Lolik, and I haven't quite stopped running ever since." Much earlier in the book, reflecting on the silence about important things that prevailed between him and his father, he observes: "If I started to write down here all the things we did not talk about, my father and I, I could fill two books. My father left me a great deal of work to do, and I'm still working." His mother, as the book makes clear, equally left him a great deal of work to do, in a very different way—not through silence but through seductive and sometimes vatic speech, and above all through the shattering act of her suicide.

THE NARRATIVE LINE OF *A Tale of Love and Darkness* may seem relaxed, anecdotal, occasionally repetitive, and sometimes manifestly digressive, but the book is in fact a tautly imagined whole. Its two vital nerve-centers, I think, are the suicide of the mother at the very end, repeatedly adumbrated earlier, and an extended passage almost exactly in the middle of the book that I take to be the scene of the dedication of the artist, like Stephen Dedalus seeing the girl standing in the water near the end of *Portrait of the Artist* or the thirteen-year-old David Schearle's Isaiahan vision of the shower of sparks from the third rail in *Call It Sleep*. And there is a significant link between these two passages in Oz's book, different as they are from each other.

The dedication scene occurs when the child is six years old. It is set in sequence immediately after an amusing satiric anecdote involving a duel of sarcasms between the boy's two grandmothers, each a very difficult lady in her own way. He has gone off by himself and is lying on his back on the concrete of a courtyard, looking up at the sunset sky and around him at his neighborhood of Kerem Avraham, a zone of rubble and peeling walls and corrugated iron leantos, patrolled by an abundance of lean and mangy alley cats.

> The evening light is growing cooler and grayer above the points of the cypresses. As though someone is surrendering there, on the awesome heights above the treetops, the rooftops, and everything that is stirring here in the street, the backyards and kitchens, high above the smells of dust, cabbage, and rubbish, high above the twittering of the birds, as high as the sky is above the earth, above the wailing sounds of prayer coming in ragged tatters from the synagogue down the road.

Fania Klausner, finally a poetic mistress of solipsism, would have lingered with the light going gray in the sky, the uncanny vision of someone up there "surrendering" (the Hebrew *mevater* also means something like "concede," "forgo"). Her supine child, the future novelist, is enchanted by the splendor of the evening sky but also keeps all his senses attuned to the gritty, grubby terrestrial reality around him. As the passage goes on, he takes in the garbage cans, the washtubs, the political slogans plastered on the walls, and he makes out the notes of the scale played on the piano (something you can still hear in most Jerusalem neighborhoods today) by a girl who lives across the way, and then, bizarrely (but, as we shall see, significantly), "a bird replies to her, over and over again, with the first five notes of Beethoven's *Für Elise*." The boy goes on to imagine the setting sun as a creature caught in the claws of the sky, which tears at the train of its many-colored coat, spreading swaths of different hues from horizon to horizon. At this point, the experience comes to a revelatory climax, though the passage, its epiphanic momentum not yet spent, will run on for another twenty lines:

> all the firmament an abyss and the one lying on his back no longer lying but floating, being sucked, plunging rapidly, falling like a stone toward the velvety depth. You will never forget this evening: you are only six or at most six and a half, but for the first

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time in your little life something enormous and very terrible has opened up for you, something serious and grave, something that extends from infinity to infinity, and it takes you, and like a mute giant it enters you and opens you, so that you too for a moment seem wider and deeper than yourself, and in a voice that is not your voice but may be your voice in thirty or forty years' time, in a voice that allows no laughter or levity, it commands you never to forget a single detail of this evening: remember and keep its smells, remember its body and light, remember its birds, the notes of the piano, the cries of the crows and all the strangeness of the sky running riot from one horizon to the other before your eyes, and all of this is for you, all strictly for the attention of the addressee alone.

This moment beautifully illustrates the way in which the immediacy of an experience, however overwhelmingly felt in the initial instance, is inevitably mediated by literary precedents when the writer casts it into language. The memory of being swept up by an unanticipated vision of the vast and gorgeous and vaguely violent world all around mirrors, at a distance, another scene set in Jerusalem some 2,700 years earlier, in which the future prophet Isaiah is addressed by a mysterious voice calling out in the temple and cannot take up the burden of his poetry until a seraph presses a burning coal to his lips. (Pushkin would famously recast this scene as the initiation of the Romantic poet.) Here, of course, there is no question of a prophetic message, but the boy does feel invaded by something that transforms him—"like a mute giant it enters you and opens you," the verb for opening, *pokeah*, being the one used not for opening doors but for opening eyes.

THE IMPERATIVE THAT THE child feels, having taken in a vision of the intoxicating beauty of the world that is set in a frame of the homey, grimy particularities of his intimately familiar Jerusalem neighborhood, is to remember and to record, when he will grow up to find a language adequate for the recording. This is what *A Tale of Love and Darkness* is essentially about. The act of writing for this child drunk on words (as he repeatedly informs us) is understood to be not an avocation but an obligation, as it was for Isaiah. The "something serious and grave" that seizes the child commands him to remember, and, indeed, invokes two weighted verbs, "remember and keep." These are the verbs used respectively in Exodus and Deuteronomy for the fourth commandment, a discrepancy that Jewish tradition resolved by affirming, as a great sixteenth-century Hebrew hymn puts it, " 'Remember' and 'keep' in a single utterance / did the one God make us hear."

This imperative presence addresses the child "in a voice that allows no laughter or levity." The phrase involves a Hebrew literary allusion with an especially dark theological resonance. It occurs at the end of Agnon's masterpiece *Tmol Shilshom*, or *Only Yesterday*, a novel to which Oz devoted half of an entire book twelve years ago. Yitzhak Kummer, the hapless protagonist, dies a hideous and grotesque death at an early age, about which Agnon's narrator observes: "Finally he spewed out his aching soul and gave back his spirit to the God of spirits before whom there is no laughter or levity." The God of *Only Yesterday* (and one must here put aside the knowledge that Agnon was outwardly an Orthodox Jew) is at best baffling and at worst morally savage. Oz, unlike Agnon, is probably not a theist at all, but the vocation as writer that he first felt in this early experience—to remember everything that here addresses him alone, to remain unswervingly faithful to his perception of it—is something that comes to him from some absolute principle of pitiless fidelity, not unlike the harsh deity of *Only Yesterday*. With such a commanding principle, you can never play fast and loose.

The harshness, of course, is strictly relevant to the darkness of *A Tale of Love and Darkness*. This is a story of the writer's childhood in many ways affectionately, often even humorously, recalled; but it is also the story of two parents who, as their small son was growing up, became each other's hell, and above all the story of a beloved mother who abandoned her son forever at his last moment of childhood in order to escape into darkness. It is this that Oz has been remembering for half a century, unable to utter, and about which he has now been able to write unblinkingly,

Runes II

They keep them in vials at The Institute of Tears
in Siracusa, the Madonna's droplets squeezed
from ducts in the icon's almond eyes.

The Madonna balances the sacred child, he almost floats
in her acrobatic arms. Little dirigible, tethered
just by her fingertips, otherwise he'd sail away.

This mother and child have perfected the act, they teach us to cry,
though in the older story, also Sicilian,
the girl untethers and slips not up, but down

past the hyacinth meadow into unfathomed dark.
I saw her go, frail arms, frail legs, and the sun shone through her ribs.
The Mother Goddess, source of love, stormed through the fields,

the child bled from the nose and married death.
I watched my own image float up through the chemical bath,
in the darkroom my own memento mori came to light

in crinkled eyelids, hollowed sockets, pock-marked chin.
The child keeps walking away. Along the trolley tracks,
an unspooled cassette tape gleams, a songline strung

over broken glass, rocks, and soot. I count my bones.

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heedful of the severe voice "that allows no laughter or levity."

This crucial passage, as I have noted, goes on for several more sentences, still in a mood of exultation, still insisting on the imperative of remembrance: "Remember the vertiginous sense of time within time within time, and the whole host of heaven trying on, blending, and hurting the innumerable hues of light just after the sun has set," and then we are offered a spectacular cascade of colors, descending finally into a dim blue-gray "like the color of silence with a smell like that of the repeated notes on the piano, climbing and stumbling over and over again up a broken scale, while a single bird answers with the five opening notes of *Für Elise*: Ti-da-di-da-di."

All the senses are engaged (taste and touch appear elsewhere in the passage) and, indeed, are synesthetically fused; but there is a paradoxical perception of hurt inflicted in the midst of the beauty. The stumbling piano scales and the answering notes of the songbird anchor the transcendent experience in the here-and-now of the child's Jerusalem neighborhood. That the birdsong should sound to the child like the beginning of *Für Elise*, that old chestnut of the Beethoven repertoire, is a perfect reflection of his growing up in this milieu of culturally pious Jews from Russia, Poland, and Germany. The bird's singing, of course, would have been maddening—recall the first five notes of *Für Elise*—and the song here breaks off before the melody proper can begin, a melody that has something vaguely melancholic about it, despite the fact that Beethoven called the piece a bagatelle. But the author of *A Tale of Love and Darkness* is impelled to go on, beyond the opening notes to the painful end of his story.

AT ONE POINT, RECOUNTING one of the few happy memories he retains of something shared with both his parents, Oz reports a picnic that they enjoyed together: "How good it would be to stop time, and to stop writing this too, a couple of years before her death, with the picture of the three of us in Tel Arza woods on that spring festival." The whole book, of course, is driven by a sense that time cannot be stopped, and that writing this story, postponed for most of a lifetime, must go on to the end. What takes up much of the narrative in the remaining hundred or so pages after this transient dream of stopping time is an agonizing account of how the child's beautiful and sensitive mother slipped into hopeless depression.

Suffering from acute insomnia, Fania Klausner went from one doctor to another and one sleeping pill to another. She spent long nights sitting up in a chair, staring blankly. She lost all appetite, plunged into apathy, barely attending to the people around her, incapable even of reading, which had always been her chief refuge. A brief stay at a sanitarium did her no good whatever. Finally she went off to Tel Aviv to stay with her sister, in the frail hope that a change of air and surroundings would revive her spirits. Drawing on the testimony of his aunt, Oz recounts in detail the last day and a half of his mother's life, using his strong imagination as a novelist to recreate an event he must have long tried not to think about, and at which he here desperately wishes he could have been actually present to intervene before the fatal moment.

The narrative line of the book is not consistently chronological. Instead it moves back and forth over the first twelve and a half years of the writer's life, with an occasional later scene and a few representations of the writer in the act of writing this story. But eventually we come to realize that the narrative is designed to spiral in on the harsh reality of the suicide at the very end. Oz imagines it with a kind of bleak persuasiveness. The last lines of his book trace the conveyance of the comatose mother before daybreak to the hospital that will be her final way station. Using his novelist's resources to make this moment of irreparable loss palpable, Oz puts a garden outside the hospital windows and a ficus tree in the garden, with a bird in its branches, which is none other than the *Für Elise* bird of his Jerusalem neighborhood, though the bird itself is now named Elise. It is a weird and uncannily right choice for Oz to make the avian accompanist of his early epiphany as an artist an attendant on his mother's death. In the last words of the book, the bird Elise repeats its unvarying five-note tune, trying to waken the mother; and sometimes, the writer says, it still tries.

NOWHERE IS THE VIRTUAL present perfect of this narrative more hauntingly evident than in its final words. When I first read *A Tale of Love and Darkness* two years ago, I was struck by Oz's courage in confronting his mother's suicide. The courage is certainly there still, but now it seems to me that "confronting," with its implications of facing down and coming to terms with, is not quite right. What makes the end of this book so frightening is that the mother's self-destruction is not over for the writer—it is still happening for him, he is still desperately fantasizing that something will yet awaken her from her self-induced unending sleep. The bird will repeat over and over again those five maddening notes, never get to the real melody, never awaken the sleeping beauty who on her part never attained the dreamed-of melody of her life.

Oz's book ends in darkness, but I do not mean to make it sound darker than it is. Terrible loss is indeed at the heart of the book, and Oz's dedication to the writer's calling that allows no laughter or levity has meant the creation in his novels of fictional lives wracked by abandonment, bereavement, dislocation, as his own life (despite success and family contentment) has been—but there is more here than that; more, indeed, than in any of Oz's novels. The writer's vision, which might have turned into a tunnel vision from the prison-like Klausner home at the beginning to the inert body of Fania Klausner at the end, moves instead repeatedly outward, to the extraordinary world around him, the vivid eccentrics of Kerem Avraham, the variegated and engaging family antecedents in Europe, the historical texture of life in Jerusalem as the Zionist community in constant danger moved toward statehood, and some vivid fragments of the writer's later life. And there is abundant laughter in this story, too. This is one of the most enchanting and deeply satisfying books that I have read in many years. It is written with an acute awareness that there are things awry in the world, that wounds are inflicted even in the gush of splendid colors of the evening sky—and that pain must not dull the writer's responsiveness to the explosion of sunset hues, and to the gnawing fears and the keen delights that have made up the writer's life. ■

Ulysses
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WASHINGTON DIARIST

Endangered Species

EVERY YEAR, JUST BEFORE Thanksgiving, I head down to Fairhope, Alabama. It doesn't take much to get me to make the trip; for my money, there are few places more beautiful than this sleepy town on the eastern shore of Mobile Bay. But my stated purpose for this particular journey is to attend Southern Writers Reading, a weekend klatch of panels, readings, and parties that draws many of the region's novelists, poets, and fans. It's a great time, full of intelligent conversations with friendly, warmhearted people. For a southern expatriate like myself—I grew up in Nashville—it's something of a curative, a nice change from the hustle of Washington journalism. But it's also a reminder that the South, so often disparaged as a backward, inbred land, is also home to a rich and varied intellectual culture.

I NEEDED THAT REMINDER EVEN MORE this year. Driving through Alabama, I saw countless signs denouncing an amendment that would have removed racist language from the state constitution; the proposal lost narrowly on November 2, and, a few weeks later, a recount confirmed that result. Apologists say the amendment failed because it also would have removed a line in the Constitution that rejects the right to an education, and the state Christian Coalition warned that the nefarious "right to education" movement would use the amendment to increase taxes to fund more schools and teachers. How this makes the outcome any less reprehensible is beyond me, but it seems to have assuaged the good folks of Alabama.

SUCH DEBACLES HIGHLIGHT THE PLIGHT of the white Southern liberal. On the one hand, you love your region in a way that other Americans can't understand. But you are also deeply shamed by its unwillingness to move forward on social issues. Such shame is a big reason why I don't move back and why thousands of other Southern liberals decamp annually for more enlightened locales. But my disaffection is different from the disdain for the South felt by, say, New York liberals. As the journalist W.J. Cash wrote in 1941, it is "the exasperated hate of a lover who cannot persuade the object of his affections to his desire." And so I and others are torn—Southern Writers Reading versus racist state constitutions.

IT'S HARD, LOOKING AT THE REGION'S deep red hue, to remember that, until the 1960s, there was a clear, liberal (as opposed to merely Democratic) streak running through the region's middle class. These days, white Southern liberals tend to be either transplants or cosmopolitans, people who grew up in Atlanta or Nashville and therefore have easy access to competing political ideas. But the middle-class liberalism of the mid-twentieth century was different. Relatively isolated from national intellectual currents, it grew from a mix of Christian and classical philosophy, catalyzed by a disaffection with the region's aristocratic mythologies and an abiding sense of guilt over its recent, horrible past. Think of Cordell Hull, an FDR brain-truster and Nobel Peace laureate, or Estes Kefauver, an early civil rights advocate and Aldai Stevenson's 1956 running mate—both started life as Tennessee farm boys. Renowned historian (and NEW REPUBLIC contributing editor) C. Vann Woodward grew up in rural Arkansas. Or consider the characters that populate the novels of the Southern renaissance: Faulkner's Gavin Stevens went off to school at Harvard and Heidelberg, while the men in James Agee's *A Death in the Family* are devoted TNR readers.

MID-CENTURY SOUTHERN LIBERALS saw racial justice not as a philosophical problem but as a concrete ill that needed immediate redress. But they also understood that the solutions, should they ever come, would be neither simple nor painless, because reactionary, know-nothing whites—embodied by Faulkner's infamous anti-heroes, the Snopeses—would fight violently to stop them. They opposed Jim Crow (some loudly, others not loudly enough), but their beliefs ultimately proved too fragile to survive the civil rights tumult. The older generation of liberals—the Hulls and Kefauvers—were dying off while the younger generation, radicalized by racial politics, were leaving the South in disgust. And many of those who stayed were seduced by the constant stream of anti-liberalism emanating from everyone from George Wallace to Lynyrd Skynyrd; as Walker Percy wrote in 1965, "Ten years of indoctrination by the Citizens' Councils, racist politicians, and the most one-sided press north of Cuba has produced a generation of good-looking and ferocious young bigots." By the late '60s, liberalism had suffered a mighty blow nationwide. In the South, it never recovered.

WHITE SOUTHERN LIBERALS STILL exist, but they are too rarely a viable political or social presence, particularly in the Deep South of Mississippi, Alabama, South Carolina, and rural Georgia. Back home in Nashville, I had lunch with one such rarity. David Carlton is a history professor at Vanderbilt University (and a Presbyterian church elder) who grew up in a South Carolina mill town before escaping north to Amherst. But he was drawn back, both by his intellectual pursuits and his regionalist pinings. Over sandwiches and coffee, he foretold of dark times. "I don't believe the political realignment of the region is complete yet," he said. "What appears to be an increasingly toxic blend of traditional conservatism and 'Christian' moralism continues to gain strength."

I HEARD CARLTON'S PESSIMISM REPEATED in conversations throughout my trip. The fear is not simply that Republicans will continue to control the vast majority of the region's political offices; conservatism, as it is conventionally understood, tends not to draw the same ire from Southern liberals as it does nationally. Rather, it's that things like the Alabama amendment vote or the recent flap over anti-evolution disclaimers affixed to Cobb County, Georgia, textbooks show the powerful grip that religiously charged, anti-enlightenment conservatism has on the region, and that, without the moderating voice that the region's liberals once presented, these forces will eventually roll back even the modest social gains made during the heyday of Southern liberalism. In 1965, Percy wrote that "to use Faulkner's personae, the Gavin Stevenses have disappeared and the Snopeses have won." The plight of the Southern liberal is that, 40 years later, Percy's conclusion is more, not less, accurate.

CLAY RISEN

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"We"

A community in agreement on fundamentals

If we [Americans and Europeans] are often together in agreeing to use military power abroad, and we are often supportive of one another when we choose not to act in concert, and if we sometimes express disagreement that is circumscribed in such a fashion as to allow it fairly to be characterized as agreement to disagree, then I think we should face up to the fact that we are still "we," even when the subject is as contentious as Iraq.

—Tod Lindberg

Eminem Is Right

The primal scream of teenage music

The spectacle of a foul-mouthed bad-example rock icon instructing the hardworking parents of America in the art of child-rearing is indeed a peculiar one, not to say ridiculous. The single mother who is working frantically because she must and worrying all the while about what her 14-year-old is listening to in the headphones is entitled to a certain fury over lyrics like [Eminem's]. In fact, to read through most rap lyrics is to wonder which adults or political constituencies wouldn't take offense. Even so, the music idols who point the finger away from themselves and toward the emptied-out homes of America are telling a truth that some adults would rather not hear.

—Mary Eberstadt

Paid for by the Hoover Institution, Stanford University.

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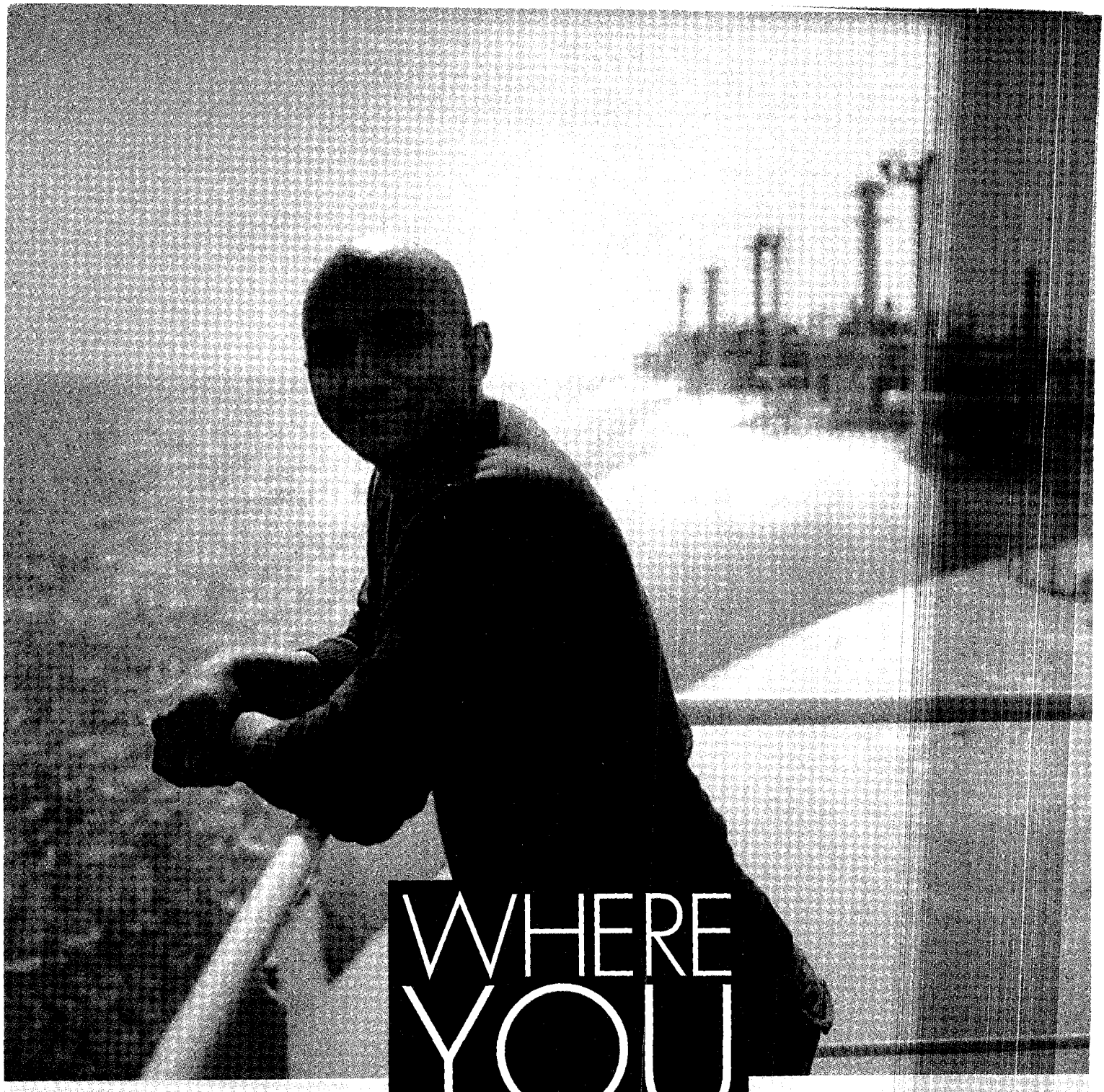

WHERE YOU DEMAND WE SUPPLY.

Behind Sam Singh, master of a Shell G Class tanker, sit 135,000 cubic meters of liquefied natural gas (LNG). On deck, it's a balmy 77°F. In the insulated LNG containers, it's minus 260°F. Sam's tanker is just one in our specialized fleet that carries over nine million tons of LNG around the world every year. They bridge the gap between places like Brunei, Oman and Nigeria, with an abundance of natural gas, and markets with a rapidly rising demand like the U.S. We have been investing in our LNG operations for over 40 years. Now these efforts are paying off handsomely. Within 10 years, the number of our LNG plants will have doubled. So too will the number of countries we supply. Why? Because by 2025 gas, the cleanest fossil fuel, could well have overtaken oil as the world's predominant source of energy. Developing and connecting the gas markets of the world is an increasingly crucial business in which no one matches our expertise and commitment. And if people like Sam have anything to do with it, no one ever will. Visit www.shell.com/lng to find out more about our Gas & Power business.

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